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THOMAS DONGAN AND THE NEW YORK CHARTER 1682–1688.*

SUBSEQUENT to the return of Sir Edmund Andros to England in 1681, Colonel Thomas Dongan was commissioned Governor of the Duke of York's Province of New York. He was a descendant of an ancient Irish Catholic family, and was the youngest of the three sons of Sir John Dongan, Baronet, of Castletown, County Kildare. His mother was a sister of Richard Talbot, who became Earl of Tyrconnel and later Lieutenant Governor of Ireland. He was born at the family home in Ireland in 1634, and was early trained to the profession of arms. The Dongans favored the Stuarts, and when Charles I. was beheaded in 1649, the family removed to France. Young Dongan entered the French army and received a commission from Louis XIV. in an Irish regiment composed chiefly of adherents of the unfortunate king. He rose through all the commissioned ranks until 1674, when he was made Colonel. Meanwhile he had served for some time in Nancy and had taken part in the campaigns against Holland. After the treaty of Nimeguen in 1678, an order was issued for the return of all English subjects then serving under the French crown to their homes. Concerning this recall Colonel Dongan wrote that he was obliged to relinquish "that honorable and advantageous post, and resisted the temptations of greater preferment then offered him if he would remain there; for which reason the French king commanded him to leave France in forty-eight hours and refused to pay him a debt of sixty-five thousand livres then due to him for remits and arrears upon an assessment rendered him by the intendant of Nancy."

The Duke of York was evidently familiar with his career, for he inter-

*From "The Memorial History of New York," vol. i. p. 399–437.

fences along Wall street, and a curtain at the land-gate at the junction of Wall street and Broadway, but they were sadly in need of repairs. There was also "Pasty Mount" at the foot of Exchange Alley. These little fortifications were all in bad condition, and were mounted with the miniature guns of the period, known as "demiculverins," "sakers," and "minions."

A few English and West Indian vessels traded with New York, and an occasional privateer appeared in the harbor. Near Fort James was a flagstaff whereon a flag was hoisted upon the arrival of vessels in the harbor. Besides the foregoing, commerce was carried on by nine or ten three-masted vessels of eighty to one hundred tons, and three barks of forty tons and about twenty sloops of twenty-five tons. Five of these sloops traded up the Hudson River with Albany, Kingston and Esopus, which were the three most important towns of the province after New York.

The population was mixed, and a great variety of tongues was spoken. The Dutch element predominated, but there were many Huguenot families that had come to the colony driven from France by the persecutions of Louis XIV. The old church in the fort was used every Sunday by the representatives of the three leading denominations, and services were held in as many different languages —the Dutch in the morning, the French at noon, and the English in the afternoon—while the Governor and his few fellow-worshipers met in a little chapel.

The active management of affairs was at once taken up by the new Governor. His instructions from the duke signed on January 27th, required that on his arrival he should call together Frederick Philipse and Stephanus Van Cortlandt, and other of the most eminent inhabitants, not exceeding ten in all, and swear them to allegiance to the king, fealty to the duke as "lord and proprieter," and official faithfulness as members of his council. In accordance with further instructions, John Spragg became secretary of the colony, and Anthony Brokholls, with Matthias Nicolls and others, were appointed to catalogue the records surrendered by John West. Rev. John Gordon became chaplain of the English soldiers in New York, and Mayor William Beekman, Stephanus Van Cortlandt, Lucas Santen, Mark Talbot, and Gabriel Minvielle were appointed to survey Fort James, while Captain Thomas Young was made pilot of the port.

The administration of the colony having been properly organized, Dongan immediately turned his attention to a matter which directly concerned the interests of his patron. William Penn, not satisfied with grants made to him by Charles II., was endeavoring to secure the upper Susquehanna valley by purchase from the Indians, who claimed that region

in virtue of conquest by them. When Dongan reached New York, Penn and his two agents, William Haige and James Graham were already in Albany, negotiating with the natives The Governor on September 6th proceeded to Albany and ordered an examination into the matter. He received a report stating that a settlement on the Susquehanna would be much nearer to the Indians

DONGAN'S NEW YORK HOUSE.

than Albany, and hence any such purchase by Penn would be "prejudicial to his Royal Highness's Government." Dongan promptly ordered a stop put to all "proceedings in Mr. Penn's affairs with the Indians until his bounds and limits be adjusted." The Albany magistrates wrote on September 24th, as their opinion, that "there hath not anything ever been moved or agitated, from the first settling of these parts, more prejudicial to his Royal Highness's interest and the inhabitants of this government, than this business of the Susquehanna River. The French, it is true, have endeavored to take away our trade by piece meals, but this will cut it off at once."

In the mean time Penn accepted an invitation to visit Dongan in New York, and was elaborately entertained for several days, but left owing to a dispute with Lord Baltimore concerning the southern boundary of Pennsylvania, which compelled his presence in Philadelphia. Later, when Penn's agents endeavored to secure the purchase of these lands, the Indians refused, saying that the land "cannot be sold without Corlaer's order, for we transferred it to this government four years ago." Subsequently (October 3rd), the Mohawks visited Fort James and agreed to give the Susquehanna River to New York. In announcing this to Penn, Dongan wrote, "about which you and I shall not fall out; I desire we may joine heartily together to advance the interest of my master and your good friend."

A year later, Penn requested Dongan's intervention towards the settlement of the Maryland boundary dispute, and the favor was promptly accorded; but when his agents asked to be allowed to treat with the In-

dians for the Susquehanna lands, Dongan quickly replied, "that they at Albany have suspicion it is only to get away their trade, and that Mr. Penn hath land already more than he can people these many years. In this opinion he was upheld by the duke's secretary, Sir John Werden, who on August 27, 1684, wrote him: "Touching Susquehanna River, or lands about it, Nor trade in it, which the Indians convey to you or invite you to, we think you will doe well to preserve your interest there as much as possible, that soe nothing more may goe away to Mr. Penn, or either New Jerseys. For it is apparent they are apt to stretch their privileges, as well as the people of New England have been." The wily quaker never forgave Dongan for not yielding to him. In after years, when the Duke of York had become James II., and Penn returned to court, he showed his ill-feeling against Dongan by his successful efforts in prejudicing the king against him.

Among Dongan's instructions was an order calling for the election of a "General Assembly of all the Freeholders by the persons whom they shall choose to represent them," in order to consult with the Governor and Council "what laws are fit and necessary to be made and established for the good weal and government of the said Colony and its dependencies and all the inhabitants thereof." This Assembly, which was not to exceed eighteen members, was to meet in the city of New York.

Accordingly the freeholders of New York, Long Island, Esopus, Albany and Martha's Vineyard were notified on September 13, 1683, to choose representatives to appear for them at a General Assembly to be held in New York on October 17th.

The elections were held according to the code laid down by Dongan and his Council, and a majority of the Assemblymen chosen were of the "Dutch Nation." The Assembly met on October 17th, and on that date, which is referred to by Brodhead as "a memorable day in the history of New York," seventeen delegates, representatives of the freeholds of the colony of New York, gathered in Fort James. Matthias Nicolls, one of the representatives from New York City, was chosen Speaker, and John Spragg was made Clerk. The journals of this Assembly are not known to exist, but from other sources it appears to have remained in session during three weeks.

The most important of the new laws was "The Charter of Liberties and Privileges, granted by his Royal Highnesse to the Inhabitants of New Yorke and its dependencies." It declared that the charter was "For the better establishing of the government of this Province of New York, and that Justice and Right may be equally done to all persons within the same, by the Governour, Councell,

and Representatives, now in General Assembly met." Also "That the Supreme Legislative authority under his Majesty and Royal Highness James, Duke of York, Albany, etc., Lord Proprietor of the said Province, shall forever be and reside in a Governour, Councell, and the people, mett in a General Assembly." It then ordered "that according to the usage, custome and practice of the Realm of England a session of a Generall Assembly be held in this Province, once in three years at least." It further declared that "every freeholder within this province, and freeman in any corporation, shall have his free choice and vote in the electing of the Representatives without any manner of constraint or imposition, and that in all elections the majority of voices shall carry it." According to other sections representatives were appointed among the several counties; the usual privileges of Parliament were conferred on the members of the Assembly; and the most liberal provisions of English law were declared to extend to the inhabitants of New York. Entire freedom of conscience and religion was guaranteed to all peaceable persons "which profess faith in God by Jesus Christ."

This Charter of Liberties and Privileges was signed by the Governor and solemnly proclaimed on October 31, 1683, at the City Hall before the assembled multitude, to the sound of trumpets, "in the presence of his Honor the Governor, the Council, and Representatives, and Deputy Mayor, and Aldermen of this City." Thus the principle of taxation only by consent was initiated as a law of the land. Brodhead says in this connection, "Thus the representatives of New York asserted the great principle of 'Taxation by Consent,' which Holland had maintained since 1477, and appropriated the liberties al-

SEAL OF THE CHARTER.

lowed by English law to subjects within the realm of England. True ideas of popular government were now more distinctly announced in the ancient Dutch province by its own freely chosen assembly—of which a majority were 'of the Dutch nation'—than in any Northern colony of British America. In none of the charter governments of New England were 'the people' recognized as having legislative authority. The first law made by the representatives of Dutch-English New York ordained that 'The People met in a General Assembly' were to share in its colonial legislation. These memorable words, 'The People,' were so democratic that the English king at Whitehall soon afterwards objected to them, as being 'not used in any other constitution in America.'"

The charter was promptly signed by Dongan, and on December 4th Mark Talbot was sent to England with it and the other laws passed by the Assembly for the Duke's approval and signature. Some time seems to have elapsed before James was able to give it his full attention. Finally, on October 4, 1684, the duke signed and sealed the "Charter of Franchises and Priviledges to New Yorke in America." The instrument was ordered to be registered and taken to New York, but this was not done. Subsequently, in March, 1685, when the Duke was King of England, the charter was discussed at a meeting of the Plantation Committee, at which James presided and, finding the charter too liberal, concluded that he did "not think fit to confirm" it. Meanwhile, however, the law had gone into force, and continued so, until after the adjournment of the Assembly that met under its provisions in September, 1685.

In 1664 the authorities of Connecticut and New York met and agreed that the boundary-line of Connecticut should not come within twenty miles of the Hudson River, but the Duke of York had failed to ratify this arrangement, and especially instructed Dongan, as soon as he could, to settle the boundaries of the "territories toward Connecticut." The Governor was not delayed in this matter, for almost immediately after the passage of the Charter of Liberties, Connecticut set up a claim that the towns of Rye, Greenwich, and Stamford "indubitably" belonged to her, to which Dongan replied: "The Kings' Commissioners, being strangers, and relying upon your people, were assured by them that the river Mamaroneck was twenty miles, everywhere from Hudson's River, as we have very creditable witnesses can testify, and that it was Colonel Nicolls his intentions. Notwithstanding all that, you pretend to within sixteen or seventeen miles of this town, and, for ought we know, to Esopus and Albany also; which is argument sufficient it was done of Colonel Nicolls his intention. If you do not submit to let us have all the land within

twenty miles of Hudson's River, I must claim as far as the Duke's Patent goes, which is to the River Connecticut . . . Since you are pleased to do me the honor to see me, pray come with full power to treat with me; and I do assure you, whatsoever is concluded betwixt us shall be confirmed by the King and his Royal Highness, which the other agreements I hear are not. If you like not of it, pray take it not ill that I proceed in a way that will bring all your patent in question."

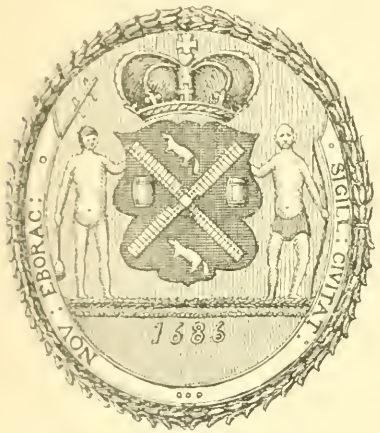
The emphatic declarations of Dongan proved effective, and Connecticut much preferred to arbitrate the question rather than to submit her patent to the Duke of York. A conference was held in New York during the latter part of November, to which Connecticut sent as her representatives Robert Treat, Nathan Gold, John Allyn, and William Pitkin, while New York was represented by the Governor, Anthony Brockholls, Frederick Philipse, Stephanus Van Cortlandt, and John Younge. It was then agreed that the boundary line between the two provinces should be removed several miles east of Mamaroneck to Byram River, between Rye and Greenwich, and that this new line should be properly surveyed the next October. Accordingly, in October, 1684, joint commissioners from the two colonies met in Stamford and proceeded to the Byram River. There they surveyed the proper courses, of which they made a map and a report. These having been approved by the Council of New York, Dongan met Governor Treat on February 23, 1685, in Milford, and together they signed a ratification which was ordered to be recorded in both colonies, and which was confirmed in England fifteen years later. This boundary-line still remains in force.

In the meanwhile, however, the commissioners from Connecticut informed the magistrates of Rye that they could not help giving up that town, but that "Dongan was a noble gentleman and would do for others' welfare whatever they should desire in a regular manner." Dongan's opinion was perhaps a trifle less favorable, for he wrote to the Duke of York that "Connecticut was always grasping, tenacious, and prosperous at her neighbors' expense, of evil influence over the New York towns of Long Island, whose refractory people would carry their oil to Boston and their whalebone to Perth, rather than to their own capital."

Numerous ordinances for the better government of the city were adopted. Those concerning the religious observance of the Sabbath are interesting. "No youthes, maydes, or other persons may meete together on the Lord's Day for sporte or play, under a fine of one shilling." No public-houses were permitted to keep open doors or give entertainment on Sunday, except to strangers, under a fine of ten shillings. Children were not allowed to play in the streets on the

Sabbath, and not more than four Indians or negro slaves might assemble together, and at no time were they allowed to bear any firearms, under a fine of six shillings to their owners.

The landlords of public houses were ordered to report all strangers who arrived, and were forbidden to entertain any person, man or woman, suspected of a bad character, under fine of ten shillings. Indians were allowed by a special license to sell firewood and also gutters for houses,



SEAL OF NEW YORK, 1686.

which were long strips of bark so curved at the sides as to conduct water, but it was required that "the number of such [Indian] traders be small and what so traded for no great value." Under penalty of forfeiture it was proclaimed that "noe firewood shall be imported or exposed for sale in this citty, but such as shall be cutt after ye manner of coard wood and sold by the coard accordingly, which coard is to continue eight foot in length, four foot in highth, and four foot in breadth." All horses ranging loose were to be branded and enrolled, and an ample reward was offered to all who should destroy wolves.

A committee was appointed to collect for permanent preservation the ancient records of the city and also the laws. The proper officials were ordered to "use their utmost endeavors and care at the day of Election that none appeare but ffree holders." Surveyors were chosen to see that "all new buildings bee uniform and of party walls." A constable was appointed to see that the laws were obeyed, also a haven-master was chosen to look after the shipping and collect the bills. The sheriff was placed in charge of the markets, and ordered to strictly observe the rules for regulating them. There was a public chimney-sweep, who made his presence known by crying through the streets, and cleaned the chimneys at the rate of one shilling or eighteen pence each, according to the height of the house. An "inviter to funerals" was likewise a public official; and no one, unless formally asked, thought of attending a funeral. This service was rendered free to those who were unable to pay.

In nothing, however, did the masterly diplomacy of Governor Dongan show itself to greater advantage than in his relations with the French. His predecessor, Sir Edmund Andros, had

claimed in 1677 that New York included all the territory south of the St. Lawrence and Lake Ontario, but this claim was one that the French could not sanction. Christianity had been planted among the Indians by French missionaries long before any other Europeans had penetrated into the wilds of the northwest. Jean Nicollet, Marquette, Joliet, and La Salle were famous discovers and also ardent Catholics. With them came missionaries who devoted their lives to the conversion of the Indians.

Antoine Joseph Lefevre de la Barré had been appointed to succeed Count Frontenac as Governor of Canada, and one of the earliest of his plans was to compel the Indians to trade with Montreal rather than New York. Early in 1684, the Senecas and Cayugas having plundered certain French parties, De la Barré determined to punish them, and refused to regard them as British subjects. This information seems to have been conveyed to Dongan, for he writes: "I do believe that you have bin misinformed as to the Irequois, they having traded with this Government above forty years and nowhere else, unlesse they did it by stealth. I am sure they are nearer to this place than yours, and all to the south and southwest of the Lake of Canada; wee have pretences too, and it seems a cleare demonstration that those lands belong to the King of England, haveing all his Colonies close upon them, those Indians who have pipes through their noses would fain come to trade at Yorke, did not other Indians hinder them, haveing from hence such trade as they want which is in no other Government and that you have none but what you have from us. As for any dispute about them, I suppose Your people and ours may trade amongst them without any difference. I give you thanks for the passes you sent, and assure you nobody hath a greater desire to have a strict union with you and good correspondence than myself who served long time in France and was much obliged by the King and Gentry of that Country; and I am sure no man hath a greater respect for them than myself, and would never do anything that may cause a misunderstanding, but I am a servant in this place, and therefore need say no more."

De la Barré was not appeased by this letter, and at once directed the Jesuit missionaries then at Oneida and Onondaga to so intrigue as to divide the Indians among themselves. It was this policy, which Dongan endeavored to oppose by replacing French Jesuits by English Jesuits, which caused the enmity of Protestants in New York. In June, 1684, De la Barré advised Dongan of his intention to attack the Indians, and asked that the people of Albany be forbidden to sell arms and ammunition to the Iroquois, which he said "can alone intimidate them, and when they see the Christians united on this subject they will show them more

respect than they have done hitherto."

To this Dongan quickly replied that the Senecas were under the government of New York; that the duke's territories must not be invaded; that he had ordered the coats of arms of the Duke of York to be placed in the Indian castles, "which may dissuade you from acting anything that may create a misunderstanding between us;" moreover, all differences between the French in Canada and the New York Iroquois ought to be settled by their masters in Europe; finally, in order "to promote the quiet and tranquillity of this country and yours," he proposed to visit Albany and investigate the matter.

This decision was timely, for certain of the Iroquois, instigated (as charged) by the French missionaries, had early in the spring of 1684 committed outrages on the northern boundary of Maryland and Virginia which violated the compact made in August, 1682. Lord Effingham, Governor of Virginia, with two members of his Council, came to New York in June to persuade Dongan to aid him in a war against the Indians. Effingham was received with distinction. He became a guest of the Governor, and was entertained by many of the prominent citizens. The City Corporation made him a freeman of the metropolis, and he is said to have been the first British peer upon whom this distinction was conferred.

He accepted Dongan's invitation to go to Albany, and on July 30th met in council deputies from the Mohawks, Oneidas, Onondagas, and Cayugas. A firm peace was concluded, in recognition of which an ax was buried for each party; but as the Mohawks had not broken the earlier compact, no ax was needed for them. Five axes, representing Maryland, Virginia, the Oneidas, Onondagas, and Cayugas, were buried in the southeast corner of the courtyard, and the Indians threw earth upon them. Then jointly the Indians sang a peace-song with demonstrations of much joy, and thanked Dongan for his effectual mediation in their favor with the Governor of Virginia. Some days later (August 5th) delegates from the more remote Senecas arrived, and confirmed the action of their allies by giving a belt.

It was at this time that Dongan obtained from the Iroquois their written submission to the Great Sachem Charles. This was recorded on two white dressed deerskins, which were to be sent to the great sachem in England, that he "may write on them and put a great red seal to them." By this treaty all the Susquehanna River above the "Washinta" or Wyalusing Falls, and all the rest of the land of the Iroquois, were confirmed to the Duke of York as within the limits of New York. Thus Governor Dongan established the northern and western boundaries of our great commonwealth, and, as has

been well said, "in our day the visitor to the Great Lakes and Falls of Niagara sees the American flag proudly floating where Dongan planted its English predecessor."

At the close of the conference the Sieur de Salvaye, a representative of De la Barré, arrived in Albany and informed Dongan that the Indians would be attacked towards the end of August. A force of twelve hundred men proceeded against the natives, but exposure and disease so reduced their ranks that De la Barré gladly concluded a treaty of peace with them on September 5th. He reported to France that his campaign had "not been bloody," and referred to Dongan as one "who fain would assume to be Sovereign Lord of the whole of North America, south of the River Saint Lawrence." The French king had made request of the Duke of York, through his ambassador in London, to prohibit Dongan from aiding the Iroquois and to order him to act in concert with De la Barré, "to the common advantage of both nations," but no such orders could be given by the duke, who fully sustained Dongan's policy, save alone that he should be prudent, "always avoiding, as much as possible, any proceedings on our part that may run us into disputes with the French, who, in our present circumstances, are not to be made enemies."

The religious freedom of New York was well known. At a time when a catholic priest would meet only with imprisonment and death in the New England colonies, Jesuit fathers were freely received in New York while it was under the Dutch government. Indeed, they were openly entertained by the Governor himself, as it was the case with Father Isaac Jogues, who was rescued from the Mohawk Indians and entertained at the fort by Director Kieft in 1643.

During the greater part of Don-

P. Gr. x. De Charlevoix

gan's administration there were resident in New York three Jesuit fathers. These undoubtedly were destined by him to replace similar French missionaries among the Iroquois Indians. Indeed he distinctly writes to the Indians, "Therefore I desire the Brethern not to receive him or any French Priests any more, haveing sent for English Priests, whom you can be supplied with, all to con-

tent." In a letter to Denonville, written on December 1, 1686, he says: "I have written the King, my Master, who hath as much zeal as any prince living to propagate the Christian faith, and assure him how necessary it is to send hither some fathers to preach the Gospell to the nations allyed to us, and care would then be taken to dissuade them from their drunken debauches, though certainly our Rum doth as little hurt as your Brandy, and in the opinion of Christians is much more wholesome; however, to keep the Indians temperate and sober is a very good and Christian performance, but to prohibit them all strong liquors seems a little hard and a little turkish." His advice to that effect, sent to his royal patron, was not heeded, and Brodhead adds: "The English disciples of Loyola do not seem to have had the manly spirit of adventure among the savages which distinguished their order in France."

Early in February Charles II. died, and the Duke of York succeeded him as James II. This brought about a peculiar condition of affairs. New York became a dependency of the crown and no longer a proprietary government. Shortly after the accession of James to the throne, he ordered the records belonging to the province to be sent to the Plantation Office. These included the various acts passed by the New York Assembly, and the Charter of Franchises and Privileges, which, though ordered to be delivered, had been kept back and was not yet perfected.

Failing to confirm the charter, the king wrote on March 3d to Dongan, concerning the government of the colony: "And as we have been pleased by our Royal Proclamation to direct that all men being in office of government shall so continue therein until further order, so we do hereby charge and require you to pursue such powers and instructions as we have formerly given you, and such further powers, authority, and instructions as you shall at any time hereafter receive under our royal signet and sign manual, or by our order in our Privy Council. And that you likewise give our said loving subjects to understand that, having committed to our said Privy Council the care of our said Province, with the consideration of several Bills and Addresses lately presented unto us from our Assembly there, they may shortly expect such a generous and suitable return, by the settlement of fitting privileges and confirmation of their rights, as shall be found most expedient for our service and the welfare of our said Province."

This letter and further orders from the Privy Council were brought to America by Captain Jervis Baxter, who reached New York towards the end of April. Early in May the Corporation prepared an address to the new king, congratulating him on his accession, and wishing him "a long, peaceable, and prosperous reign." At

the same time they desired his Majesty "to enlarge this government Eastward, and confirm and grant to this his Citty such privileges and immunities as may again make it flourish, and increase his Majesty's revenue."

The acquisition of wealth at the expense of the government seems to have prevailed in New York at even this early date. Lucas Santen, who had been appointed Collector of the port in April, 1683, made charges against the Governor of taking perquisites and of sharing in the booty of privateers, many of whom came to New York in order to dispose of their plunder. These charges Dongan denied, and wrote: "I have been so put to it to make things doe, that what small perquisites I have got I have disbursed; and I have pledged my credit and pawned my plate for money to carry on the King's affairs;" also, "Concerning my covetousness, as he is pleased to term it (if Mr. Santen speaks true in saying I have been covetous), it was in the management of the small revenue to the best advantage, and had Mr. Santen been as just as I have been careful, the King had not been in debt and I had more in my pocket than I now have." Santen, however, was unwilling to give any satisfactory explanation of his affairs, and was ordered to produce his books of revenue before the council. Finally he was suspended for peculation, arrested, and sent to England, where his commission was revoked.

Throughout his career Dongan showed himself an able diplomat. The boundary disputes between New York and the adjoining colonies he settled with credit to himself and advantage to his patron. His firm stand against the advances made by the French on the northern border have already been alluded to. His policy with the Indians was a masterly one. Prior to his arrival in New York much of the trade with the natives had found its outlet through Canada, but recognizing the value of the fur trade he gave permission during the summer of 1685 to a number of traders to visit the western Indians, who lived beyond the Senecas, and to collect beaver-skins. They were well received by the Indians, whom they found more inclined to trade with them than with the French. In one of his reports to Europe he described the means by which he intended to secure the beaver and other Indian trade for the province. As evidence of his success it appears that the Seneca Indians alone carried more than ten thousand beaver-skins to Albany instead of sending them to Canada as they had agreed to do in their treaty with De la Barré at the Salmon River the year previous. Dongan's success with the Indians gave distinct umbrage to the French, and early in the year De la Barré was superseded by the Marquis de Denonville. Dongan's desires to Christianize the Indians have already been referred to, and his efforts have been closely

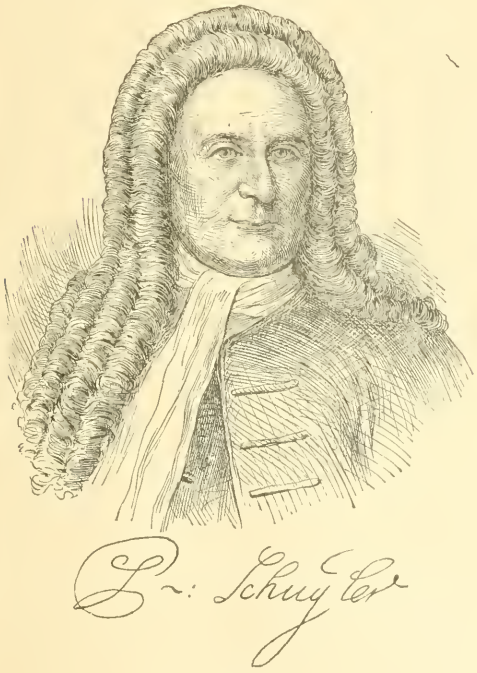
studied by representatives of his church in recent times, one of whom has written: "By his masterly policy Dongan controlled the Five Nations, broke up the French influence, and used the confederacy as the great bulwark of New York, making it, with English support, a terror to Canada and the Western tribes."

The western boundary of New York had not been defined in the instructions given to Dongan by the Duke of York, but the far-sighted policy of the Governor is abundantly shown in the following communication sent to the Lords of the Board of Trade in 1687. He says: "I send a Map by Mr. Spragg whereby your Lords may see the several governments, etc., how they lye; . . . alsoe it points where theres a great River, discovered by one Lassal, a Frenchman from Canada, who thereupon went into France, and as its reported brought two or three vessels with people to settle there, which (if true) will prove not only very inconvenient to us but to the Spanish alsoe (the river running all along from our Lakes by the Back of Virginia and Carolina into the Bay of Mexico), and its beleeved Nova Mexico cannot be far from the mountains adjoyning to it, that place being 36 d North Latitude, if your Lords thought fit I could send a Sloop or two from this place to discover that River." In other words, Dongan distinctly sought permission to send an expedition up the Mississippi River in order to take possession for the English of the great valley through which that stream courses, but his superiors failed to appreciate the value of such a possession at that time, and apparently agreed with the French king, who found La Salle's explorations "very useless and [that] such enterprises must be prevented hereafter."

For some time the Corporation of New York had been desirous of obtaining a new charter from the king which should confirm their old privilege and grant to them all the vacant land in and about the city. By the aid of Nicholas Bayard, who was then Mayor and also one of the Council, and James Graham, who was Recorder and also Attorney-General of the province, a draft of the desired charter was submitted to the municipal authorities. The engrossed charter was then read and allowed in Council, and on April 27, duly signed by the Governor, who caused it to be sealed with the old provincial seal which the Duke of York sent out in 1669.

The charter declares New York to be "an ancient city; and that the citizens of said city have, anciently, been a body politic and corporate; and have had various rights, grants, and immunities under several governors, and under the Nether Dutch Nation; and have received the same, either under the name of Schout, Burgomasters, and Schepens, or in their name as Mayor, Alderman, and Commonalty." Moreover, the charter

confirmed to the city all prior grants, liberties, and franchises; also specially the right of the municipality to its City Hall, two market-houses, the bridge into the dock, the wharves or dock, the new burial-place out of the city gate, and the ferry from the city to Long Island. It contains a grant



of all the streets and highways for the public use, and a right to lay out others. Prior grants to inhabitants are confirmed. An important item is the grant made to the city of "all the waste, vacant and unappropriated lands on Manhattan Island, extending to low-water mark, and all waters, creeks etc., not theretofore granted." Hunting and mining privileges were conferred, for which one beaver-skin was to be rendered annually. Jurisdiction was given over all the Island of Manhattan and its waters to low-water mark.

The city officers were to include a Mayor, recorder, town clerk, six aldermen and six assistants, a chamberlain, a sheriff, and some minor officers. The aldermen and assistants were to be elected by the people annually, one from each ward. The mayor, sheriff, and town clerk were to be appointed by the Governor, and the city was made a body corporate and politic under the name of "the Mayor, Aldermen, and Commonalty of the City of New York," and was to have perpetual succession, with power to get, receive, and hold lands, rents, liberties, franchises, and chattels, and to transfer the same. The charter also gave to the mayor, recorder, and aldermen the right to hold a court of common pleas for cases of debt and other personal actions. Out of the grants made there was excepted Fort James, a piece of ground by the gate called the Governor's Garden, "and the land without the gate called the King's Farm, with the swamp next to the same land, by the Fresh Water."

Concerning the localities mentioned in the charter, the dock, which was the only landing-place of importance in the city, extended along the East River from the present Broad street to Whitehall street; the ferry was the one that ran from the foot of the

present Peck Slip to "Breuckelen." The new burial-place was located where Trinity Churchyard now is, and the Governor's Garden adjoined it, extending from Broadway to low-water mark. The King's Farm extended at that time from Fulton to Chambers's street, and subsequently formed much of the land given to Columbia College by Trinity Church. This charter has since continued to be the basis of the municipal laws, rights, privileges, public property, and franchises of the city. It was worded with care, and shows that those who framed it were "possessed of a broad and enlightened sense of the sanctity of corporate and private rights." Following the example of New York, Albany, on July 22, 1686, was incorporated as a city, with large franchises, including the management of the Indian trade. Peter Schuyler, the most conspicuous of the early representatives of that family, became its first Mayor. Dongan was promised £300 for this charter.

The relations with the French continued to be disturbed, owing to the persistence with which they still interfered with the Iroquois Indians. A meeting of representatives of the Five Nations and Dongan took place in Albany on April 15, 1686. The French had determined to erect a strong post at Niagara, and Dongan warned the Indians of Denonville's intention of attacking them, and, promising his friendship, advised retaliation. Some correspondence between the two Governors ensued, in which Dongan promised to do all that he could "to prevent the Iroquois harming the French missionaries, and also to surrender all refugees from Canada." Another conference was held at Fort James on August 30th, at which the Indians were told not to meet the French, and assured by Dongan that if they were attacked by the French to "let me know; I will come; it will be with me he shall have to settle." During the summer months trading parties again visited the western Indians with Dongan's permission, and were successful in gaining much valuable material. Denonville, irritated at Dongan's success, and unable to cope with his policy, wrote to France towards the close of the year asking for specific orders, saying, "for I am disposed to go straight to Orange, storm their fort, and burn the whole concern." Meanwhile important changes in the government of the colonies had occurred. Those in the east had been consolidated into the "Territory and Dominion of New England in America," over which Sir Edmund Andros had been commissioned "Captain-General and Governor-in-chief."

A new commission similar to that issued to Andros was sent to Dongan, and he became on June 10, 1686, the king's Captain-General and Governor-in-chief over his "Province of New York and the territories depending thereon in North America." Dongan

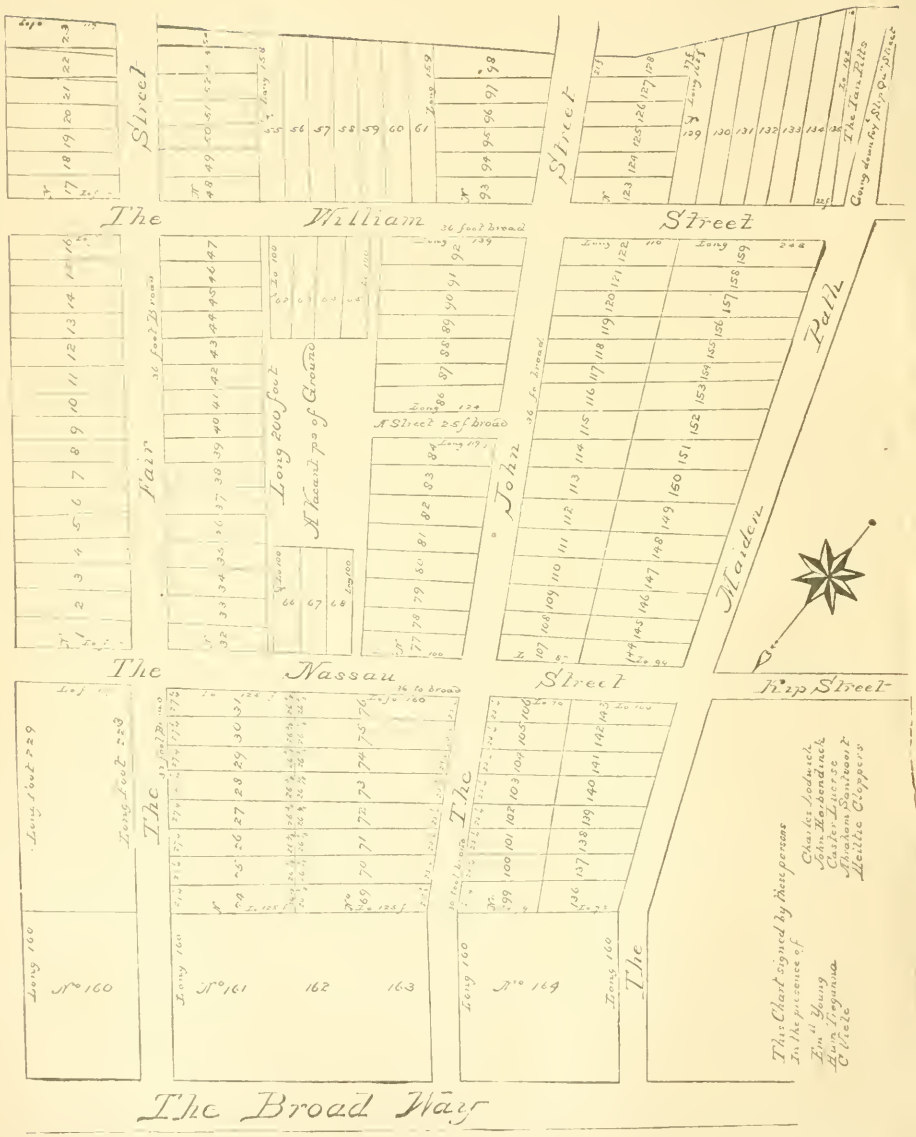
was empowered to appoint judges, pardon offenders, collate any person or persons in any churches which might be vacant, levy and command the military force of the province, execute martial laws, build forts, act as Vice- Admiral, grant lands, appoint fairs, and regulate ports, harbors, and custom-houses; and he was required "to take all possible care for the discountenance of vice and encouragement of virtue and good living, that by such example the infidels may be invited and desire to partake of the Christian Religion."

The new commission and instructions duly reached Dongan on September 14, 1686, when he at once took oath "to execute the office and trust of His Majesty's Captain-General and Governor-in-chief in and over the Province of New York, and the territories depending thereon." The new counselors were sworn excepting Santen, who was deemed "wholly unfit for business."

The difficulty with East Jersey continued, and in February Dongan wrote to the Plantations Committee that, the inhabitants there "paying noe Custom and having likewise the advantage of having better land and most of the Settlers there out of this Government, Wee are like to be deserted by a great many of our Merchants whoe intend to settle there if not annexed to this Government." He complains of the smuggling and of the trade with the Indians, who find a better market in Jersey, because the people there pay "noe Custom nor Excise inwards nor outwards;" also how "very often shipps bound to this place break bulk there and run their goods into that Colony with intent afterwards to import the same privately and at more leisure into this Province notwithstanding their Oath, they salving themselves with this evasion that that place is not in this Government." To prevent all further inconveniences, he asks for an order "to make up a small Fort with twelve guns upon Sandys Hook, the Channell there being soe near the shore that noe vessel can goe in nor out but she must come soe near the Point that from on board one might toss a biscuit cake on shore." He discusses the desirability of annexation at some length, and then abruptly closes with, "To bee short, there is an absolute necessity those Provinces and that of Connecticut be annexed."

It was about this time that Lucas Santen was sent as a prisoner to England, and in the same ship John Spragg and Jervis Baxter conveyed important dispatches to the home government. In place of Santen, Dongan begged the king to allow him to name a Collector from among those who lived in New York, for those who came from England expect "to run suddenly into a great estate, which this small place cannot afford them."

The Governor's report, which was sent to the Plantations Committee at



This hitherto unpublished map is a fac-simile of one made by order of Colonel Dongan. The original is dated Sept. 14, 1699, and acknowledged Jan. 20, 1700. The map was recorded Jan 2, 1715.

their request, was conveyed by the two messengers just mentioned, and the document itself has been referred to as "a masterly production." Brodhead calls it "one of the most careful as well as most honest pictures of his provincial government which an American subordinate ever sent home to his English Sovereign."

It gave full descriptions of the judiciary of New York and of its workings, and of the military resources of the colony, the conditions of the fortifications in New York, Albany and Pemaquid. The annexation of Pemaquid to Massachusetts and of Connecticut to New York was advocated. Concerning immigration he wrote: "I believe for these seven years last past there has not come over into this Province twenty English, Scotch, or Irish families. But on the contrary on Long Island the people increased soe fast that they complain for want of land, and many remove from thence into the neighbouring province. But of French, there have, since my coming here, severall families come both from St. Christophers and England, and a great many more are expected; as alsoe from Holland are come several Dutch families, which is another great argument of the necessity of adding to this government the neighboring English Colonies, that a more equal ballance may bee kept here between his Majesty's naturall born subjects and Foreigners, which latter are the most prevailing part of this government." Reference is made to the religious beliefs of the colonists and he adds: "Every town and county are obliged to maintain their own poor, which makes them bee soe careful that noe vagabonds, beggars, nor idle persons are suffered to live here. But as for the King's natural born-subjects that live on Long Island and other parts of Government, I find it a hard task to make them pay their ministers." The relations with the Indians were described, and his own policy discussed at some length with important recommendations.

Meanwhile, on December 19, 1686, Sir Edmund Andros, Governor of New England, had arrived in Boston, and the possession of Connecticut soon became a question of dispute between himself and Dongan. On the one hand, Connecticut was asked to surrender her charter and become part of New England, while on the other, Dongan, feeling that the giving up of Pemaquid to New England entitled him to some compensation, strongly urged that Connecticut be annexed to New York. Finally on October 31, 1687, Andros "took into his hands the government of this Colony of Connecticut, it being by his Majesty annexed to Massachusetts and other Colonys under his Excellency's Government."

On the nothern frontier the French persisted in their efforts to obtain control of the traffic with the Indians and to compel their submission to

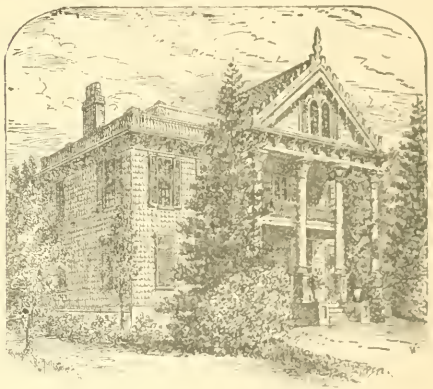
the Governor of Canada, but Dongan maintained a strong stand against their encroachments, even after the passing of the treaty of neutrality between France and England, by which it was agreed that firm peace and neutrality should exist between the English and French subjects in America. A copy of this treaty was received by Dongan early in June. Denonville was not slow to act on the advantage promised by this agreement between the two kings, and very promptly seized fifty Indians who had come to Catarocony to confer with the Governor of Canada, and sent them to France to serve in the galleys there. Many trading parties from Albany were seized and the territory of the Senecas occupied by the French, who had defeated the Indians in several battles. In August a conference was held in Albany between the Indians and Dongan, and the latter then felt justified in supplying the red men with arms and ammunition, although he declined to assist them with soldiers. Matters failed to improve, and Dongan then decided to spend the winter in Albany.

Before leaving New York he appointed Stephanus Van Cortlandt to be Mayor of the city, and James Graham was admitted to the council. On October 25, 1687, it was ordered in Council "that Major Brokholls sign all warrants, papers and licenses, usually signed by his Excellency, and that all public business be managed by him and the Council as if his Excellency was present." He reached Albany early in November, and there found the inhabitants of that place in considerable alarm owing to the fact that the destruction of that place and Schenectady was threatened by the French.

Meanwhile, in September, John Palmer had been sent to England with full instructions from Dongan to lay before the king the condition of affairs in New York and the conduct of the French in Canada. He reached London at about the same time that Dongan arrived at Albany. It was soon made apparent that a treaty of neutrality in America was not for the interest of England. The claim put forward originally by Andros, and adhered to by Dongan, that the Five Nations were British subjects, was now accepted by James, who on November 10, 1687, instructed Dongan to defend and protect the Iroquois Indians from the Canadians; to build necessary forts; to employ the militia of New York, and to call on all the neighboring English colonies for assistance. The French king, however, complained to James of the behaviour of Dongan, and, to appease the French monarch, an agreement was signed to the effect that until the first day of January, 1689, and afterwards, no English or French commander in America should commit any act of hostility against the territory of either sovereign.

In May, news came from Albany that the French were again troublesome, and it was deemed necessary by the Council that Dongan should go there at once and that soldiers be sent up the river to watch the enemy. He returned in July and then found the king's letter of April 22d awaiting him, which informed him of Andros's appointment, also advising him that on the arrival of the new Governor in New York the seal and records of that province must be delivered to him. This communication was read in Council and ordered to be recorded amongst the records of the province of New York. Dongan, however, continued in the active administration of affairs for some weeks longer, and among the last acts of his Council is one passed on July 30th "for the care of his Majesty's Province, which it is his Majesty's pleasure should be annexed to his Government of New England, Ordered that all further proceedings towards the levying the late tax and imposition of £2555, to be paid by the first day of November next, do cease, and it is hereby suspended till further order." The last law passed by him, on August 2d, was one "to prohibit shoemakers from using the mystery of tanning hides." Andros in the meantime had set out for New York, and on August 11, 1688, reached the city, where he was received by Colonel Nicholas Bayard's regiment of foot and a troop of horse.

Thus the administration of Thomas Dongan came to an end. It has been well said that "his firm and judicious policy, his steadfast integrity, and his pleasing and courteous address soon won the affections of the people and made him one of the most popular of the Royal Governors." Even Thomas Hinckley, who was Governor of Plymouth, said of him that "he was of a noble, praiseworthy mind and spirit, taking care that all the people in each town do their duty in maintaining the minister of the place though himself of a different opinion from their way."



DONGAN'S HOUSE ON STATEN ISLAND.

The subsequent career of Dongan is not without interest. The king offered him the command of a regiment with the rank of major-general, but these evidences of royal satisfaction were declined, and the late Governor determined to remain in the vicinity of New York. He owned considerable property within what are now the city limits of New York, and

a farm in Hempstead, Long Island, to which he retired when Andros left the city. Also, in 1687, he had purchased a manor-house and some twenty-five thousand acres of ground on Staten Island, which he formed into "the lordship and manor of Cassiltowne." It is also said that he owned land in Martha's Vineyard. His governorship had not been a source of profit to him, and he remained in New York in order to care for his property.

With the news of the flight of James to France there came troubled times to New York. It was feared that the adherents of the late king would seize the colony, and it was said that Dongan was the instigator of a plot to burn the city. It was noised about that Staten Island was full of roaming Papists, and later, when Jacob Leisler assumed the control of the government, Dongan's residence on that island was searched for arms. The finding of four guns there was regarded as great evidence against him. Hunted from place to place, he finally took refuge on a brigantine belonging to him, and remained hidden there in the bay for a fortnight, seeking to sail for England, but the weather being unfavorable he returned to the colony and made his way to New London. There he was joined by Andros, who had escaped from prison, and it was said that he was engaged in a scheme to sell Martha's Vineyard. Subsequently he returned to Hempstead, Long Island, but early in 1690 writs were issued for the apprehension of various Papists, including Dongan. He then made his way to New Jersey, and finally reached Boston, where he remained (as far as is known) until some time in 1691, when he sailed for England.

His brother, who had been made Earl of Limerick in 1685, followed James into exile and died in Saint Germains in 1698, but the estates in Ireland were confiscated and made over to the Earl of Athlone. The title passed to Thomas Dongan, who was then introduced to William at Kensington, "whose hand he kissed on the occasion of succeeding to the Earldom of Limerick."

Greatly reduced in circumstances, the late Governor made frequent applications to the government, asking that his family estates be restored to him. He also endeavored to secure the payment of long arrears of his pensions as well as for the advances made by him to the government while in America. It was not, however, until 1702 that he was allowed £2500 in tallies, being part payment of advances made by him while Governor of New York. In May of the same year, an act of Parliament was passed recognizing his succession to his brother's estates; but he was only to be permitted to redeem these on the payment of claims of purchasers from the Earl of Athlone. His property in America was at first left in the charge of agents for rental or sale, and ultimately passed into the hands

of his nephews, Thomas, John and Walter Dongan. In the deed making over the estate to his relatives he says that it is given to them "in order that they may preserve, advance, and uphold the name of Dongan." The farm at Hempstead was sold by Thomas Dongan to pay the Governor's debts. The estate on Staten Island seems to have been retained as a family residence, and passed to the heirs of Walter Dongan, as the other kinsmen died without issue. In 1704 Dongan made an appeal to Queen Anne, saying that if a third of what was due him were paid he would release the rest, and that it would be better, under the circumstances, to live in Turkey than in England; but no attention appears to have been paid to this request. Ten years later, in a petition to the Commissioners of the Treasury, he writes that, after paying his brother's debts and his own, he had little left for his support. He never married, and finally died in London, and his remains were interred in St. Pancras Churchyard, Middlesex. On his tombstone appears the following inscription:

THE RIGHT HONORABLE THOMAS DONGAN
EARL OF LYMERICK
DIED DECEMBER 14TH
AGED EIGHTY-ONE YEARS, 1715,
REQUIESCAT IN PACE. AMEN.

"The highest eulogy," says Dealy, "that can be pronounced upon him is that it was he, beyond even and above his able predecessors, who by his magnanimous statesmanship, moderation of temperament, and unaffected respect for the rights and liberties of others prepared the way for all that is most admirable in the constitution and policy of our great Republic, which arose from out the ruins of a neglected and ill-governed colony to be glorious in the future with the brilliant records of conquest in the domains of peace, liberty, and religious freedom."

FORT LAURENS.

THE FIRST FORT ERECTED IN OHIO BY THE UNITED STATES.

Sir Walter Scott was fascinated by the thought of the boundless forests of America, and there was a grand attraction to him in imagining himself in the midst of such a wilderness of trees, with hundreds of miles of unbroken solitude about him.

For Dickens, on the contrary, it was the vast, bare prairies of our land that possessed a fascinating charm, and when he visited America he could not rest till he had viewed such a level and treeless expanse as he had so often thought of.

But with Scott it was the forests. "These vast aboriginal trees, that have sheltered the Indians before the intrusion of the white men, are the monuments and antiquities of your country," exclaimed he to Washington Irving, but the great forests have already almost vanished, and America has found other monuments and antiquities.

There is one in particular—a large mound, which was constructed many years before the forests began to disappear—which would have been to Scott of most absorbing interest, for it is a memorial of a combat most strangely resembling that of which he made such splendid use in the "Fair Maid of Perth."

"It was appointit," so runs the quaint old Scotch chronicle, "betwix the heidis-men of thir two clannis, that XXX of the principall men of the ta clan sal cum, with othir XXX of the tothir clan, arrayit in thair best avise; and sall convene afore the king at Perth; and fecht with scharp swerdis to the deith; and that clan quhare the victory succedit to have perpetuall empire above the tothir."—and the combat in the American backwoods was wonderfully like this.

The Senecas and Wyandots, after having been friends for a long period, had become bitter enemies and lost no opportunity to slaughter each other. The feud arose through the scornful refusal, by a beautiful Seneca girl of the love of a Wyandot. He had never taken a scalp, and she would not deign to look upon him, and so, stung by bitter mortification and burning with hot anger, he left her presence, determined to show how little he deserved such taunts. He sought out her brother, furiously attacked him, struck him lifeless to the earth, and then, tearing off his

scalp, bore the bloody trophy to her whom he had loved, and with ferocious exultation tossed it into her lap!

This act set the two tribes at mortal enmity. When Braddock entered the Indian country, indeed, they fought side by side to repel him, but their mutual danger over, the quarrel broke out afresh.

And then Ogista, an old and honored leader of the Senecas, offered a plan by which the terrible feud could be ended, and both tribes, with such wild fierceness as we may fancy, hailed the proposition with delight.

Each tribe was to choose twenty brave warriors, willing to suffer certain death. These warriors were then to meet in mortal strife, and, none other of either tribe interfering, were to fight until all were slain. What an awful grimness of conception was that!

Then all were to be placed in one common grave, and, a tomahawk in each dead man's hand, were to be covered with earth, and thenceforth neither Seneca nor Wyandot was ever to consider the other an enemy.

The braves were selected. With passionate fervor were the war dances performed. Drearily arose the wierd lamentations for the living who so soon were to be dead.

And the awful fight began! For hour after hour the warriors desperately contested, and, as the sun was about to sink from sight, the last but one fell in the death agony. And that one, bleeding but triumphant, looked about him with the fierce pride of victory, and calmly awaited his doom.

(The one left! How curiously like the chief of the Scotch clan Quhele!)

The warrior who stood there was the son of Ogista, and even among the stern men who so stoically gazed at him there was none to step forward and fulfil the dreadful agreement by striking him down.

There was an awful shivering silence, and then Ogista himself, with hard, set face, paced slowly toward his son, who with folded arms and steady eye awaited him. The old chief raised his weapon, it flashed a moment in the air, and his son fell dead at his feet!

Then the slain warriors were all buried; a great mound, which is still standing, was raised above the bodies, and it was close by this very mound that, twenty-four years later, Fort Laurens was erected.

A party of seventeen men were one day sent from the fort to gather wood. They disappeared from sight behind the mound, and were never afterwards seen alive. A party of Wyandots and Senecas were, unknown to the garrison, at that very time at the mound, performing solemn rites where their relations lay buried. They hid themselves as the soldiers approached, and from their ambush killed every man.

Both Wyandots and Senecas were dreaded and redoubtable warriors. That the Senecas were members of

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the powerful and warlike Iroquois confederacy is alone sufficient proof of the fact as regards them, and for the Wyandots it will be necessary to give but one characteristic anecdote. General Wayne in the course of his decisive campaign in Ohio, told one of his captains of scouts that he was desirous of securing a Wyandot prisoner. The scout replied that such a captive could not not be had, and to Wayne's surprised inquiry replied that no Wyandot would allow himself to be taken alive.

It was in 1778 that Fort Laurens was erected and before that time there had been two forts in Ohio, one on Sandusky Bay, erected by the French in 1754, and subsequently occupied by the British until it was captured and destroyed by the Indians, and the other a temporary enclosure, erected in Athens County by Lord Dunmore in 1774. But Fort Laurens was the first Fort built by the government of the revolted colonies within Ohio, or, in fact, the entire Northwest Territory.

It was in the valley of the Tuscarawas that it was erected—that valley so ardently beloved by the Indians, and of a solemn and entrancing lovliness that even now captivates the imagination of the traveler who passes through that splendid region.

The glorious hills, the dark and mysterious stream, almost imperceptibly moving on its quiet way, the beautiful trees and sweet fields—unite to make the valley a dream of beauty. There is a subtle attractiveness, as of hidden mystery, in that sombre river, and it haunts one like the memory of a vision.

Old Tuscarora Town, one of the famous Indian capitals—where now is but a cultivated field, on a low bluff overlooking the junction of the Sandy and Tuscarawas—was something over a mile from the fort, and between the two sites has since grown up the little town of Bolivar.

During the Revolutionary War there were many Indians who favored the American cause and many who favored that of the British, and among the Ohio tribes this difference of feeling caused much of antagonism and conflict. To protect friends and overawe enemies, Congress in 1778, appropriated $900,000.00 for the expenses of a strong military expedition into the Indian country of Ohio, and General McIntosh was given command of the force.

From his conduct it would seem that he was a somewhat nervous man, liable to be easily imposed upon by tales of ambushments and secret Indian forces, and after considerable inefficient and tedious marching he at length found himself in the Tuscarawas valley with nothing accomplished, and confronted by a serious lack of provisions.

To return with his entire force would, as he wrote to Washington, cause himself to be justly reflected upon after so much expense, "and confirm the savage in the opinion the

enemy inculcates of our weakness, and unite all of them to a man against us." From which it appears that he justly appreciated the unfortunate fact that even with his large force of twelve hundred men, he had failed to overawe the savages in the slightest degree.

Then, rather than do nothing, he designed the building of Fort Laurens, and, the construction completed, left Colonel John Gibson in charge with a garrison of one hundred and fifty men, while he himself, with the main body, returned to the east.

The fort was viewed by the Indians with furious anger or sullen disapproval. Even such as favored the American cause looked gloomily upon a fort erected within the very heart of their country and on the banks of the river that they loved.

But there was one exception. White Eyes, a great Delaware chief, a grave and far-seeing leader, of powerful mind and magnetic qualities of leadership, had before this hoped that a fort would be built in the valley by the colonial forces.

He was a remarkable man, and had ideas in advance of most of his race. The policy by which the British had conquered India and by which white men have so often tried to gain their ends in America—that of setting rival native forces against each other, for the white men to gain by their mutual strife—he actually tried to operate against the white men themselves.

He saw, as the profound Pontiac had recognized before him, that there was no hope for the Indians except in the keeping up of two rival civilized powers. There was no longer a possibility of French dominion, yet the Colonial government might take its place. Were England to rule all, there would no longer be cajolings of the Indians by both powers. There would no longer be respect and deference and gifts, to induce them to favor one side more than the other. There would no longer be some regard for treaty rights, based upon fear of the Indians going over to the enemy.

Their only hope lay in the confronting each other of two jealous and hostile governments, with the Indians largely holding the balance of power between them. Under such conditions the permanence of savage independence would be by no means impossible. So thought White Eyes, and therefore it was that he on all occasions favored the Americans, and that he wished them to have a fort in the Tuscarawas region to menace and control such Indians as favored the British.

Directly opposed to him was a chief known among the white men as Captain Pipe, a brave leader, fiercely combative, who knew no policy except that of strenuously opposing white aggression of any sort, and who opposed the Americans rather than British from a well-founded belief that it was from the revolutionary

colonies that the greatest menace to Indian dominion arose.

White Eyes was at Fort Pitt when he learned that an expedition was to be sent into the interior, and, overjoyed by the intelligence, he at once offered himself as a guide and set out with the soldiers upon the march. But he was not to see whether or not his anxious hopes for the future were to be fulfilled. Smallpox, that awful scourge, which claimed as its victims so many brave chiefs and warriors, struck him down and he perished in the immediate neighborhood of Fort Laurens and while still with the American army.

Smallpox was unknown among the Indians until after the advent of the whites, and is one of the evils which savagery owes to civilization. And the whites well knew its destructive power among the Indians, ignorant as they were of how to check and control it, and it was but fifteen years before this time that the commander-in-chief of the British forces in North America wrote to Bouquet, reputed a humane soldier, asking him if he could not contrive "to send the small-pox among the disaffected tribes," and that Bouquet replied that he would try to inoculate them by means of blankets that would fall into their hands.

Fort Laurens, built by a disappointed general as a substitute for some successful operation, and with the sad association of the death of White Eyes, was destined to have a far from proud and brilliant history. Its first commander, Gibson, was a remarkable man. We see him as a member of General Forbes's expedition against the Indians; then as a trader at Fort Pitt; next as a captive dragged into the wilderness; then condemned to be burned at the stake with savage tortures, and only saved at the last moment by being adopted into the tribe; next as an active soldier in Lord Dunmore's campaign, and the very one who received from the lips of the great Logan the famous speech that so sadly immortalized the name of that unfortunate chief; then as commander at Fort Laurens; still later as a government peace agent, carrying from Congress to the Indians an immense peace belt six feet in length; then sitting up until midnight with the missionary Zeisberger and discussing with him the grave mysteries of religion; and finally, after a life so eventful and varied, quietly dying when more than eighty years of age.

In a sudden conflict with a party of Indians he struck off, with a blow of his sword, the head of Little Eagle, a Mingo chief, and, known thereafter, from this occurence, as "Long Knife," was dreaded by the Indians as a terrible foe, and it is said that it was from giving him this name that it became at length customary among the savages to denominate all soldiers as "Long Knives."

He was a fit man to put in command of the fort, and it might well

have been expected that something striking would be accomplished.

The Indians, as soon as the main army was fairly on its return journey, began a regular siege, and it was not only dangerous for one of the garrison to step outside of the walls, but even to show his head or body at any exposed spot.

An Indian siege was always a peculiar procedure. There was no digging of trenches; no forming of regular lines about the beleagured spot; no pacing up and down of sentinels. The savages took up their position in clumps of trees, and behind logs or bushes or stumps, and, hidden and patient, waited for an opportunity to pick off some careless soldier. No relief, unless it were some body large enough to defy attack, could reach the fort, for the forest paths were guarded with a marvelous care that seldom allowed any sign to be overlooked.

Within the walls of the fort the garrison could but watch and tremble, and speculate on how long it would be before help could arrive. A sortie would be useless, for it would be impossible to find an enemy: — the men could but march among the trees, seeking in vain for the viewless savages, and then march back again, fortunate if they escaped, as they retreated, without hearing the deadly report of a rifle or the whiz of a barbed and pointed arrow.

Indians seldom attacked in the night time; partly from a fear that many of them had that a warrior who died in darkness would be in darkness throughout all eternity, and partly because in a night engagement they would be sure to lose some of their own force. This latter reason was of even greater weight in keeping them from making open attacks in the day time. Indians would not deliberately seek a battle when they were sure to lose some of their own number, even if they were certain at the same time of killing far more of the enemy and winning a great victory. The dreadful lamentations over the slain would hush the exultant cries of joy, and therefore it was that they chose to fight by stealth and to destroy their enemies without losing warriors of their own. This feeling often saved garrisons and armies from destruction, when certain victory was within reach of the savages had they been willing to lose but a small proportion of their own force.

How many Indians were engaged in the siege of Fort Laurens is not known. With the view of striking terror into the hearts of the garrison, they paraded in front of the fort, at the beginning of the siege, and their number, as Doddridge reports, was eight hundred and forty-seven.

This, however, is almost incredible. It was seldom, indeed, that such a number of warriors was gathered together to assist in the carrying out of even the most momentous plan, and, further than this, it must be remembered that the Indians of that

region were divided against themselves. And Doddridge cannot always be implicitly relied upon. His work, valuable as it is to the student of backwoods life and manners, and rich in curious information, must be cautiously examined when dates or names or the size of an army are referred to. He himself modestly states that there may be errors regarding such points, because, as he explains, he writes from memory, regarding events which took place when he was very young, or else depends upon information received from sources, that could not always be implicitly trusted.

The Indians themselves afterwards claimed that they had not over two hundred warriors at the fort, and the chances are that while this may perhaps be somewhat of an understatement, yet it is much nearer the truth than the number given by Doddridge. Likely enough the discrepancy may be explained by believing that the Indians so maneuvered their force as to have all their warriors counted more than once.

There is a very general misapprehension regarding the numbers of the Indians who inhabited our land. Such widespread fear did they inspire, and so impossible did it seem for small bodies to commit such terrible devastations and repel such powerful armies, that most of the inhabitants of the time fancied them to be almost as numerous as the very trees, and such ideas have been carried down to our own day. Yet at the great siege of Detroit, when the mighty Ottawa chieftain gathered about him a confederacy of widely separated tribes, it is doubtful if there were at any time more than one thousand warriors; and Sir William Johnson, who had better opportunities for being well informed on such a point than had any other white man, estimated in 1763 that the mighty Six Nations, Mohawks, Oneidas, Onondagas, Cayugas, Tuscaroras and Senecas, could muster in all but nineteen hundred and fifty warriors, and that the tribes that were allied with them, including some two hundred Wyándots, numbered but two thousand and ten.

With the savages who surrounded Fort Laurens there were some few white men who were in the British interest, but the besiegers had no artillery. Had it been otherwise the fort could not have held out a day, for a commanding battery could have been placed upon an elevation that overlooked the enclosure from the farther bank of the river. The builders of the fort well knew, however, that there was nothing to fear from the possibility of artillery, yet could the redoubtable Dalgetty have appeared there he would doubtless have held forth on the subject as he did at the Castle of Ardenvohr, against which, also, artillery could not have been brought, and would have exclaimed about the chance that the enemy might "stell a battery of cannon," and make the garrison "glad to beat

a chamade, unless it pleased the Lord extraordinarily to show mercy."

For some six weeks of bitter winter weather the Indians kept up their tireless watch. The garrison were running dangerously short of provisions, and it was necessary to put them on very short allowance, but the savages suffered even more. Glaring day after day at the fort that they so hated, they hoped against hope that it might fall into their hands, while at the same time game became scarcer and scarcer, and cold and starvation struggled to overcome their resolution.

> "Hungry was the air around them,
> Hungry was the sky above them,
> And the hungry stars in heaven
> Like the eyes of wolves glared at them."

And at length even their iron endurance could bear no more, and they found it necessary to relinquish the siege. They sent word to Gibson that they wished to make peace, and that if he would send them a barrel of floor they would, upon the next day, let him know what they would be willing to do. Gibson, too wise to let them know of his own lack of provisions, promptly sent them the flour and some meat, and then awaited their proposals. But the savages announced their intentions in another way. They took the flour and the meat — and then quietly vanished!

The garrison were overjoyed, when at length they discovered that the siege was actually over, and that they might once more move about with somewhat of liberty, yet the commander himself was shortly afterward guilty of carelessness, such as his training should have guarded him against.

He allowed some dozen of sick men to start for the east under guard of a squad of soldiers, but, as he should have foreseen, there were still strolling parties of hostile savages about, and several miles from the fort such a party was encountered, and it was with difficulty that a few of the whites escaped the slaughter and made their way once more to the fort.

As soon as it was possible to do so a runner was sent to Fort Pitt with news of the precarious condition of the garrison, and a force of seven hundred soldiers, under command of General McIntosh, at length reached the weary and starving men.

But, even as the relief appeared, another misfortune had to occur which, serious as it was, was yet ludicrous in the extreme. As the army appeared, the garrison gave way to wild demonstrations of delight, and as the long train of pack-horses, laden with food, came slowly on, the hungry men shouted and screamed and fired their rifles in the ecstasy of their joy.

But the commotion was too much for the nerves of even sober pack-horses! A few of them took fright, broke away, and dashed wildly into the forest. In an instant all was confusion. The other horses caught the

infection of fear, and, despite the most strenuous efforts of their drivers, also dashed away and galloped off into the woods. The packs were torn and thrown off in the wild rush, and the provisions were scattered in every direction and the greater part hopelessly lost. Enough, however, was left, to make extremely sick some forty men who at once ate up the entire share alloted them, and who were not able to stand such indulgence after a period of semi-starvation.

A peculiar and gruesome wolf-hunt was held as soon as it was safe for the soldiers to go outside of the walls. A burial party was sent to inter a number of their comrades who had been ambushed and slain some weeks previous, and to their anger, more than horror, they found the bodies more than half devoured by wolves.

Wolves were difficult game to kill, so wary were they, and even ordinary wolf traps were not of very much consequence. Most heartily disliked as the animals were by backwoods soldiers and hunters, yet it was but seldom that this dislike could find means for its satisfaction. But here was a great opportunity!

The burial party dug a large pit, and in it placed what remained of the bodies. Then, instead of filling the pit with earth, they covered its top with sticks and branches and bark so weak as to easily give way, and then, the awful trap thus set, returned to the fort.

Next morning they returned, and, to their joy, found seven wolves in the bottom of the pit? "They were shot and the pit filled up:" — so the simple narrative of the time reads, and we are left to believe that, likely enough, after such callousness as had already been shown, wolves and men were covered up together.

Gibson and his men returned to the Ohio River with the force of McIntosh, leaving behind a new garrison under command of Major Varnum.

For some months more the fort continued to be occupied, but nothing of any consequence occurred there. There were rumors from time to time of expected Indian attacks, and the records of the period give glimpses of a hard-beset and hungry garrison; as, for example, a letter stating that the men were almost too weak from starvation to keep their feet, and another stating that the fort was again threatened by a large war party.

Just when the fort was finally given up is not known. A letter of August 4th, 1779, informed Washington that two soldiers had just been killed there, and on August 6th, Colonel Brodhead wrote to General Sullivan that he "was daily expecting the garrison from Fort Laurens," and that when it reached him he would start on a projected expedition, and it is known that he did start within a short time thereafter.

From this it is certain that the fort was garrisoned as late as August 4th,

but also certain that it was held for not more than a few days thereafter, for orders to evacuate it must have been received before the 4th, or Brodhead could not have been expecting them as soon as the 6th, and the soldiers were not so happily situated as to remain a day beyond the time actually required to make preparations for their march.

The Indians of that region had a great antipathy to paper money, and their solution of a financial problem that has puzzled many citizens of a later day was to refuse to accept such currency at all. Their objection, perhaps, was founded mainly upon their intense dislike to paper with marks upon it, so bitter having been their experience with mysterious deeds and contracts which took away their land.

There was no coin at the fort, and what to do was at first a serious question, as, when there was no actual seige, the garrison expected to be able to obtain food of friendly Indians. Yet the savages were at length induced to overcome to some extent their objections to paper, and to receive, instead of the suspicious money, certificates, officially signed, stating that they were entitled to a certain number of skins. At first they took these certificates with great hesitation, but their doubts disappeared when they found that traders would freely accept them and give ammunition and whisky in return.

The following is a copy of such a certificate :

"I do certify that I am indebted to the bearer, Captain Johnny, seven bucks and one doe, for the use of the States, this 12th day of April, 1779.

Signed.

Samuel Sample,

Assistant Quartermaster."

"The above is due to him for pork, for the use of the garrison at Fort Laurens.

Signed.

John Gibson, Colonel."

Odd though such an expedient was, it was not so noteworthy as that adopted by Pontiac when, needing to obtain provisions of the French to support his warriors in their struggle against the British, he yet had no money with which to make payment. He issued certificates, drawn upon birch bark, and signed with the figure of an otter, the totem to which he belonged, and afterwards honorably redeemed them.

Fort Laurens was but a small enclosure, about half an acre in area, but was carefully built, with earthwork walls, and with bastions at the corners, while the earthworks were everywhere surmounted by pickets made of the split halves of the trunks of large trees. Amid the growth that covers the level field in which the enclosure was erected, the lines may still be traced, but for the most part faintly.

One end of the fort was cut off

years ago, by the running through it of the channel of the Ohio Canal, and the sluggish current, choked as it there is with weedy, swamp growth, intervenes between what is left and the river of the Indians.

The soil within the fortification lines, so the present owner of the land told the writer, is much richer than that outside, and he thought the explanation to be that the fort had been for a considerable period the home of a number of men and horses. Yet it has been seriously doubted whether, in spite of some reports to the contrary, the garrison had any horses at all with them, and in any event there were certainly not more than a few. It would seem unlikely, considering everything, that such a permanent effect could be produced by an occupancy which, after all, was considerably less than a year.

Some spots which were occupied as villages by the Indians for generation after generation, show the same peculiarity in soil, and the same difference from that round about, as does the soil within Fort Laurens, but it must be remembered that nothing but a lengthy occupancy was sufficient for this, and the writer has examined sites where villages undoubtedly stood, but where no such permanent effect had been produced.

The explanation, however, of the Fort Laurens soil, seemed to be easily made. For centuries past, the Tuscarawas River was lined with the habitations of the wilderness dwellers. From time to time villages were abandoned, and new sites selected, and the level ground upon which Fort Laurens was built must, in time past, have been covered with the wigwams and huts of one of their towns.

It was a gloomy day upon which we visited the old fort. The sky was drearily overcast, and as we stood by the quiet river there arose strange thoughts of the people who so long since disappeared. The sombre, mysterious stream flowed silently on, and as we gazed upon its impenetrable waters we saw there the villages and camp fires, the hunters and warriors that have so hopelessly vanished.

ROBERT SHACKLETON JR.

THE EXTRADITION AND RENDITION OF FUGITIVE CRIMINALS IN THE AMERICAN COLONIES.

PART I. 1643 TO 1693.

DURING the whole colonial period, from the earliest settlements down to the independence of the United States, there was never any well defined system in operation throughout the colonies governing the recovery of criminals seeking to evade the justice of one colony or province by flight to another.

In 1643 certain of the new England colonies formed a Confederation under the name of the "United English Colonies" and established a mode of procedure, in such cases, both effectual and simple, which was observed and followed with entire success and satisfaction during the existence of the Confederation. In 1648 the confederated colonies and the Dutch in New Amsterdam entered into a treaty by which they mutually bound themselves to the observance of the same method of surrendering fugitives as that in vogue in the New England Colonies, and during the entire period of Dutch rule in North America the system so established was maintained as between the English and Dutch. But the provinces of Carolina, Virginia, Maryland, and Pennsylvania, the "Jerseys" (as they were called), New York and Rhode Island, were never members of the confederation, and none of them ever adopted a uniform practice of rendition, although the great advantage of such a course was repeatedly urged upon them, and several plans from time to time presented. However, in the absence of an established system, fugitives did not find refuge in neighboring colonies, but were arrested and sent back in recognition of the duty of each colony as a part of a common government to surrender offenders for trial in the place having jurisdiction over the offense.

It may be fairly inferred from the colonial records, that the colonies followed in each case the course best adapted to the circumstances and necessities of that particular case, ignoring technical rules and regarding only their moral obligation to aid their sister colonies in the administration of justice. Rarely did any difficulty beset the attempt to recover a fugitive, and there is no record of any case in which the duty to surrender was denied. Occasionally complaint was made of the apparent

neglect of some colony to do its full duty in the apprehension and delivery of fugitives from sister colonies, but as a rule, the practice was unattended by difficulties of any kind, and fugitives were recovered with comparative ease, despatch and certainty. The Dutch and New England Colonies conscientiously adhered to the agreement of 1643, and there is no history of any dispute between them during its operation, though prior to it the question of absconding lawbreakers from one jurisdiction to the other had been the occasion of mutual complaints. The Dutch and the other English and French Colonies, and the English and French followed a most liberal system of extradition, based upon the principles of comity and reciprocity, but excluding the requirement of proof of the fugitive's guilt.

The writer has thought that a collection of such information upon the subject, and of particular instances of rendition and extradition in the colonies as could be gathered from the colonial records and manuscripts, or from other sources, might prove of general interest.

The subject has not been confined to the cases and practice between the colonies alone, but such information as was obtainable, concerning the treatment of fugitives from the justice of foreign states seeking an asylum in the colonies, is also presented.

The collection and proper arrangement of this material required the examination, page by page, of the colonial documents printed under the authority of the States of New York, Pennsylvania and Massachusetts, of original documents on file in the office of the Secretary of State at Albany, and a careful review of the numerous colonial histories and other works relating to colonial times. Every allusion to the subject of the recovery of fugitive offenders has been noted, and the documentary history of the colonies in this regard is given chronologically.

Thus, an effort has been made to trace the evolution of the colonial system, to illustrate its actual working by the narration of recorded cases, collected by a laborious investigation of unarranged and disordered matter; thereby showing, from the original records and by a reproduction of the documentary proceedings, the method by which fugitive offenders were pursued from one province to another, and returned for trial in the place where the crime was committed, or were apprehended in the colonies at the request of the foreign government whose laws they had infringed.

In this way much historical matter has been brought to light which the writer ventures to hope will prove of value and interest.

I. THE DUTY OF MUTUAL SURRENDER OF FUGITIVE CRIMINALS BETWEEN SUBORDINATE DIVISIONS OF A SOVEREIGN POWER.

That it is the duty of subordinate

political divisions of a sovereign power to mutually surrender fugitive criminals, for trial in the place having jurisdiction of the offense, is a principle recognized from time immemorial, in nearly all civilized countries. Before extradition became an established system, it was the practice in various countries, and between states more or less closely confederated, to deliver over fugitive criminals, from one part or State to another for trial.[1] It was so as between the German States, and among the Swiss Cantons, and the same rule prevailed in Sweden and Norway;[2] and it was held in England that a person could be arrested in that country and transferred to Scotland, or Ireland,[3] or the colonies,[4] for trial for an offense committed within their respective jurisdictions.[5]

So also there is reason to believe a similar system prevailed in ancient times among the Romans, by which criminals who fled from one part of the Empire to another, were sent back, for trial in the place where the crime had been committed, although the Romans in some cases exercised the right of trying the fugitive in the place where he was found.[1]

"The principle of these cases" says Chief Justice Tilghman[2] "is plain and undeniable. The territories where the crime was committed, and to which the criminal fled, were parts of the same empire, and under one common sovereign. The King of England could have no privilege against the King of Ireland; being one and the same person. Calcutta is part of the British Empire. The common good of the whole forbids an asylum in one part for crimes committed in another."

The duty of such surrender has been called a principle of the common law,[3] but that it was likewise recognized by the civil system is apparent from the practice of the Romans and the decision of the French Court of Cassation in the O'Done case, in 1808.[4]

"It is well known" says W. W. Thornton,[5] "that the power of extraditing criminals who had fled from one state to another, existed previous to the adoption of the Constitution of the United States. In a celebrated case,[6] Mr. Justice Catron said: 'The

[1] Moore on Extradition § 516.

[2] Revue de droit int. (1870) p. 179, *note*.

[3] Col. Lundy's case, 2 Ventris 314; Rex. v Kimberly, 2 Strange 848; I Barnard K. B. 225, and Fitzg. III.

[4] East India Co., v. Campbell, I Vesey, 246; see also Mure v Kaye, 4 Taunt, 34; I Chit. Cr. L. 14, 46.

[5] Clarke on Extradition p. 24; W. B. Lawrence, 14 Alb. L. J. 88.

[1] Twiss' Law of Nations in Time of Peace, 375.

[2] Com. v. Deacon, 10 Serg. & Rawle, 129.

[3] Ch. J. Booth, in State v Buzine, 4. Harrington, 574.

[4] 2 Hall's Law Journ, 112.

[5] 3 Crim. Law Mag, 787.

[6] Holmes v. Jennison, 14 Pet. (U.S.) 540, 597.

uniform opinion heretofore has been that the States, on the formation of the constitution, had the power of arrest and surrender in such cases, and that so far from taking it away, the Constitution had provided for its exercise contrary to the will of a State in case of a refusal, thereby settling, as amongst the states, the contested question whether, on demand, the obligation to surrender was perfect and imperative, or whether it rested on comity and was discretionary.' In another case it was said; 'In considering this question it is material to observe, that this clause of the Constitution does not contain a grant of power. It confers no right. It is the regulation of a previously existing right.'[1] This power was frequently exercised at an early day, and criminals seeking an asylum in one colony, province or State, were delivered up to the government or sister state or colony making a demand or request for their bodies and alleging that they had committed a crime within the jurisdiction of the demanding government."[2]

Again the same author says: "It was the practice of the colonies to deliver up fugitives from justice, and *quasi* treaties existed between the thirteen colonies previous to the adoption of the Articles of Confederation and to the adoption of the Constitution.[3] It is therefore usually conceded that the Constitution and Laws of the United States only regulated the practice of delivering up fugitives, and made obligatory what was merely comity."[4]

In 1842, Governor Porter, of Pennsylvania, addressed a "requisition" to Hon. Thomas S. Bell, as President Judge of the 15th Judicial District of Pennsylvania, and to the other Judges and Justices of the Peace of that Commonwealth, reciting that "a certain Henry Jackson stands indicted in the State of Maryland," for having aided certain negroes to run away from their owner, that being a "crime, punishable as such by the laws of Maryland," and requesting that Jackson "might be arrested and delivered up" to the agent of Maryland "agreeably to the Constitution of the United States and the Act of Congress of the 12th of February, 1793," and authorizing and requiring Judge Bell "to issue a warrant, *in due form of law*, for apprehending and securing the said Henry Jackson," etc., that he might be removed to Maryland.

Judge Bell declined to comply with the requisition, upon the ground that the right to cause the fugitive's arrest and delivery, after a demand by another State, under the Constitution

[1] In re Fetter, 3 Zab. (N. J.) 311.

[2] 3 Crim. Law Mag. 787.

[3] 5 Crim. Law Mag. 257 (Note to Knowlton's case).

[4] 5 Crim. Law Mag. 257 (Citing Kentucky v. Dennison, 24 How. 66; In re Certain Fugitives, 24 Am. Jur. 226; Prigg v. Com. 16 Pet. [U. S.]; 612).

and Act of Congress, lay with the Executive and that judicial interposition was therefore no longer necessary. In a letter to Governor Porter, dated November 1, 1842, explaining his position, he refers to the practice in the colonies as follows:

"Prior to the American Revolution, a criminal flying from one English colony into another, found no protection, but was arrested by the authorities of the territory into which he fled, and was delivered up for trial within the jurisdiction where the offense was committed, and this, because the several colonies formed but parts of the same Empire, under a common sovereign, and therefore presented no opportunities for the conflict of the right and duties of independent sovereigns."[1]

II. THIS DUTY ALWAYS RECOGNIZED IN THE ENGLISH COLONIES IN AMERICA.

Upon the settlement and establishment of the English colonies in America, the necessity arose of enforcing the obligation to surrender fugitives from one colony to another. So well was the duty to surrender in such cases understood that, in the history of the whole colonial period, there is no record of its denial. When a criminal, charged with a violation of the laws of one English colony, was discovered within the territory of another he was taken into custody, and delivered over, as a matter of course, for trial in the colony whose laws he had offended.

If this practice had not been followed, offenders might easily have escaped punishment.

The colonies, like the states of the Union, possessed no extra territorial jurisdiction and could not reach offenders against their laws, who had withdrawn from their limits, except by the aid of the authorities of the colony to which they fled, and the colony to which such an offender might flee possessed no authority to try him.

III. THE CONFEDERATION OF 1643.

While as between the several colonies of the English, the moral duty of surrendering fugitives to the justice of the colony having jurisdiction of the offense would have doubtless made the practice imperative from motives of self protection and the orderly administration of criminal justice, without any formal regulation on the subject, some of the older settlements deemed it wise to establish a properly defined system of rendition, and the earliest compact between the English colonies in New England contained a provision whose principal features have been followed to the present time.

On the 19th of May, 1643, by the articles of Confederation entered into by the plantations of Massachusetts, of New Plymouth, of Connecticut, and the government of New Haven, with the plantations in combination

[1] 2 Pa. Law Journ. 151-153.

therewith, these four colonies formed a union for mutual protection against the encroachments of the Dutch and French, and for better security against the hostility of the Indians. The union lasted nearly fifty years, and the colonies within it were known as the "United English Colonies."

The articles numbered twelve in all, and the eighth contained, among other things, the following stipulations:[1]

"It is also agreed that if any servant run away from his master, into any of these confederate jurisdictions, that in such case, upon the certificate of one magistrate in the jurisdiction out of which the said servant fled, or upon other due proof, the said servant shall be delivered either to his master or any other that pursues and brings such certificate or proof. And that upon the escape of any fugitive or prisoner for any criminal cause, whether breaking prison, or getting from the officer, or otherwise escaping, upon the certificate of two magistrates of the jurisdiction out of which the escape is made, that he was a prisoner, or such an offender at the time of the escape, the magistrates, or some of them of the jurisdiction where, for the present the said prisoner or fugitive abideth, shall forthwith grant such a warrant as the case will bear, for the apprehending of any such person and the delivery of him into the hand of the officer or such person who pursueth him; and if there be help required for the safe returning of any such offender, then it shall be granted unto him that craves the same, he paying the charges thereof."

Mr. I. T. Hoague, in his admirable article on inter-state rendition matters[1] says:

"This provision is of interest, from the fact that it appears to be the forerunner of the corresponding provisions in the Articles of Confederation and in the Constitution; and the framers of those instruments were undoubtedly familiar with it, as that under which these colonies had maintained their relations in this regard. Like the provisions in the later instruments, the language of this compact is absolute and unqualified. No discretion is lodged either expressly or by implication in the government on which the demand is made, but upon the production of the certificate of two magistrates a warrant shall be granted in all cases."

Spear says:[2] "The necessity for

[1] Hazard, Hist. Coll. Vol. II, 1. 5; Winthrop, Hist. Mass. Vol. II, 101. Spear on Extradition (2nd Ed.), Part II, 283 § 1, Moore on Extradition § 517; 13 Am. Law Rev: 181–183; Increase Mather's New England Troubles; Neal; Hutchinson; Pitkin's Hist., Grahame's Col. Hist. of U. S.

[1] 13 Am. Law Review, 181.

[2] Spear on Extradition (2nd Ed.), Part II, 284, § 1.

Note. "Every province renounced the right of protecting fugitive debtors or criminals from the legal process of the particular community which they might have wronged and deserted." Grahame's Col. Hist. of U. S.

this early compact grew out of the fact that the colonies of New England were contiguous to each other, and that criminals might easily flee from one to another, in order to escape punishment for their offenses. The jurisdiction of each colony was confined to its own territory and could not reach a criminal who had escaped to the territory of another colony, unless he was brought back to the jurisdiction from which he had fled. To secure this result an extradition compact between these colonies was formed, alike in the interests of public justice, and for mutual protection."

The agreement was renewed in 1670 as Article seven of the new Articles of Confederation, with the single change that the certificate of one magistrate was declared sufficient, instead of that of two.[1]

It seems, therefore, that after an experience of nearly thirty years, the colonies within the confederation, instead of being dissatisfied with this provision on the ground that it was too arbitrary, or gave a colony too much power over persons beyond its own jurisdiction, were willing to readopt it, with a reduction in the amount of proof required to authorize the surrender. Rendition between the colonies belonging to the the confederation was governed by this article during the existence of the union.

[1] Mass. Rec. Vol. IV, pt. 2, 471, 473; 13 Am. Law Rev. 181.

IV. PRACTICE BETWEEN THE ENGLISH AND DUTCH.

At this time the Dutch province of New Netherland might have afforded a convenient refuge for law-breakers from the English colonies had the ancient principles of the law of nations relative to the extradition of fugitive criminals been strictly adhered to. A most liberal policy, however, appears to have been pursued, both by the English and by the Dutch in the surrender and recovery of fugitives, and instead of requiring the *prima facie* evidence of criminality, required by nearly all the treaties in force between nations at the present time, offenders were mutually delivered up to justice upon proof of the existence of a charge of crime against them.

During the conflict between the English and Dutch, concerning the Eastern boundaries of New Netherlands, three of Stuyvesant's servants escaped from New Amsterdam and fled to New Haven. Stuyvesant demanded their rendition addressing his letter, Winthrop says, to "New Haven in New Netherlands."[1]

Immediately before this, Stuyvesant, by means of a strategy, had seized a Dutch ship at New Haven because the vessel had taken in a cargo there without a permit from the New Amsterdam government, and Stuyvesant had pronounced her a smuggler upon the claim that New

[1] Bryant's History, Vol. II, 120.

Haven was within the territory of New Netherland, asserting with some considerable extension of his former claim that New Netherland embraced the whole country from Cape Cod to Cape Henlopen.[1] A hot and furious correspondence followed until finally Stuyvesant refused to hold further communication with Governor Eaton and retorted by complaining of him to the New England authorities.

Upon the demand for the rendition of the Dutch fugitives, Eaton was able to retaliate in acts, as well as words. It was not wise to ask a favor with the air of a sovereign. Eaton refused to return the fugitives contrary however to the advice of Governor Winthrop, of Massachusetts, who considered that such an act of courtesy though asked for in this objectionable way, could be assented to without prejudice to the territorial title of the English.

On Eaton's refusal to surrender the fugitives, Stuyvesant's conduct was characteristic. It was of no little importance to all the colonies that fugitives from justice or from labor in any one of them should not find an asylum in another, and to retaliate in kind upon Governor Eaton was a most unpopular proceeding even in New Netherland. Nevertheless Stuyvesant issued a proclamation, every word of which flashed with indignation, declaring that "if any person, noble or ignoble, freeman or slave, debtor or creditor, yea to the lowest prisoner included, run away from the colony of New Haven, or seek refuge in our limits, he shall remain free under our protection on taking oath of allegiance." It was at least a bold act if not a masterly stroke of policy.

Governor Winthrop lamented the more that New Haven had not followed the advice of Massachusetts, instead of obstinately adhering to its own judgment, "in pursuit whereof this damage and reproach befell them."

But it was as easy to recapture a prisoner as to cut out a ship, and Stuyvesant was not a man to satisfy himself with proclamations or let his actions lag behind his wrath. However loud he barked his bite was always worse than his bark. He contrived to get letters conveyed to the refugees in New Haven, both from himself and from the Dominie of New Amsterdam. They were assured of a full pardon for offenses in the past and plied with promises of good treatment in the future. The men were persuaded by his assurance and returned to New Netherland. It was then easy enough to recall with dignity his offer of protection to offenders against the laws of New Haven, which he had already explained to Massachusetts and Virginia was only intended to apply to that colony.[1]

[1] Bryant's History Vol. II. 125.

[1] Id. 125–127.

The publication of this proclamation was set forth as one of the grievances of the people against Stuyvesant's government in the remonstrances submitted to the States General under the date of the 28th of July, 1649, as follows:

"The publication of a placard offering freedom and protection here to those liable to civil or criminal prosecution in New England, hath also greatly embittered the minds of the English, and it was considered to be one of evil consequence." [1]

In the answer of the West India Company the following explanation was made:

"We are informed that the English in the Colony of New Haven, in New England, had, contrary to ancient custom, protected the company's servants and freemen who had run away, and, though requested, would not allow them to return to their Lords and Masters. A proclamation was then issued, with the advice of the Council, that whosoever would come over to us from thence, should be protected in like manner, on Governor Eton letting some fugitives go, who returned back to us, the proclamation was annulled" &c. In a paper drawn up by Cornelius Van Tienhoven, Secretary to the Director and Council of New Netherland, the incident is spoken of as follows:

"As the English of New England harbored and employed all fugitives, whether persons in the Company's service or freemen, who fled to them from the Manhatans without a pass, which is required by the custom of the country, the Commissioners endeavored to induce the English to restore the fugitives according to a previous agreement entered into with Governors Eton (sic) and Hopkins. But as the former declined to surrender the runaways to us, although earnestly solicited so to do, the Director and Council, pursuant to a previous resolution, issued a proclamation by way of retaliation, to the effect that all persons who should come to New Netherland from the province of New Haven (all other places being excepted), should be protected, and as the Governor delivered up to us some fugitives, the Director and Council revoked the proclamation, and since

[1] N. Y. Col. Doc. Vol. 1. p. 271; Id. p. 312.

Note.—The remonstrances were exhibited to the States General on the 27th of January, 1650, and in "short digest" the incident is thus spoken of:

"The English were highly indignant at that atrocious proclamation in which he" (Stuyvesant) "offered free refuge to all those who had fallen into the hands of justice in New England, no matter what their crime was." Id. 332, 335.

[1] "Answer" (of the W. I. Co.) dated at the Hague, Jan. 31. 1650, "to the remonstrance delivered by the delegates from New Netherland on the 27th of January, 1650, to the High and Mighty Lords States General of the United Netherlands." (From the Royal Archives at the Hague; *Loketkas* of the States General; Rubric *West Indische* Compagnie. No. 30; 7th Division of the Bundle) N. Y. Col. Doc. Vol. 1, (Holland Documents 1603-1656) p. 342 (38).

then matters have gone on peaceably," &c.[1]

It thus appears that the system between the English and Dutch up to this time was based upon the law of nations, so far at least as to requiring and assuring reciprocity: and for a breach of compliance recourse was had to retaliation; but the main requisite, namely the production of absolute proof of guilt, recognized by the law of nations as necessary for the basis of a demand for surrender, was entirely disregarded.

V. THE TREATY OF HARTFORD.

But even this liberal system was changed for a simpler one, and from the year 1650 until New Netherland passed into the hands of the English the same manner of surrendering fugitives was followed between the Dutch and the English as that provided by the confederation of 1643 among the New England colonies. By the treaty of Hartford, concluded September 19th, 1650, the following stipulation was entered into between the United English Colonies and "Petrus Stuyvesant, Director General of New Netherland":

"Respecting fugitives: It is agreed that the same method shall be observed between the United English Colonies and the Dutch Nation in this country of New Netherland, agreeably to the eighth article of the Confederation between the United English Colonies in that case provided."[1] The treaty was approved and ratified by the States General at the Hague, Feb. 22, 1656.[2]

O'Callaghan in the preface to his compilation of the Laws and Ordiances of New Netherland says:

"The only law ever derived from New England was that against 'Fugitives from Service' which was engrafted, in the year 1650, on the Laws of New Netherland, by the treaty of Hartford whereby it was stipulated," &c.[3]

VI. CASE OF THE PIRATE RAEF.

A case of some interest is that of the pirate Sebastian Raef and his lieutenant Van Kampen, whose arrest in New Netherland was requested by the Spanish Government in 1655. The following references will show the practice of those times, in regard to fugitives amenable to justice abroad who sought refuge in the colonies.

On Saturday July 10th, 1655, the States General, having received from Don Estevan de Gamarra y Contreras, the Spanish Ambassador, an appli-

[1] "Secretary van Tienhoven's answer to the Remonstrance from New Netherland,"—Ady. 29 Nov. 1650, The Hague: (From MS. in the Royal Archives at the Hague: Loketkas of the States General; Rubric West Indische Compagnie No. 30: 15th Division of the Bundle.) N. Y. Col. Doc. Vol. 1. (Holland Documents 1603–1656) p. 442–428.

[1] N. Y. Col. Doc. Vol. IV, 611.

[2] Id. 339.

[3] O'Callaghan's Laws and Ord. of New Neth. preface p. VII.

cation for Raef's arrest, passed a resolution in the following language: [1]

"Read at the assembly, a certain Memorial from the Spanish Ambassador, requesting the magistrate of the City of Amsterdam be written to, to apprehend and seize the goods of Sebastian Raef, a captain or privateer committing piracies in the West Indies on the subjects of the Most Illustrious King, and who is at present sojourning at Amsterdam, aforesaid; also that the Governor of New Netherland be instructed to arrest in their harbors, Joan van Kampen, his lieutenant, together with his ship and effects; that law and justice be administered to the one and the other, for the behoof of the interested, with infliction of exemplary punishment for the piracies they have committed; which being considered it is hereby resolved and concluded to request the Lords of Holland to recommend to the said magistrate to administer good, brief and prompt justice in the premises aforesaid; also to afford the interested full justice."

On the 11th of December, 1655, the Spanish Ambassador, wrote to the States General as follows: [2]

"The undersigned Ambassador of Spain, represents to Messrs. the States General, that notwithstanding their Lordships were pleased, on the request he had made in his memorial of the 10th of July last, to order the magistrates of the City of Amsterdam, to apprehend the person and effects of Captain Sebastian de Raeff, (sic) who, on his own confession, (exhibited at the same time to their Lordships in an authenticative form), acknowledged having committed piracies in the West Indies, on the subjects of the King, his master, and that his lieutenant, Jan van Campen (sic) continued the same robberies with his ship, and by his orders; . . . Yet their Lordships just resolution was of no avail, inasmuch as the said Pirate, having been released by the magistrate of Amsterdam from the prison in which he had been confined for four or five months on his own sworn security, contrary to all forms of law, notwithstanding the objections of his Majesty's Consul, resident at Amsterdam, without any punishment for the robberies and crimes he confessed he had committed, returned in the month of April to New Netherland, doubtless for the purpose of their (sic) continuing his piracies with his Lieutenant, or at least withdrawing himself from the chastisement he knew he merited; so that the said Juan Gallardo has not been able to obtain any other satisfaction than an act, copy whereof is annexed, from Sierre Grand Escontette of the said city, who promises to have justice done him, when the Pirate will return thither. But having been notified, apparently, by his wife or friends of this promise, he will take very good care not to return to these

[1] N. Y. Col. Doc. Vol. 1, 576.

[2] Ibid 576.

provinces, where the said Gallardo has been, in vain, waiting several months for him at considerable expense; their Lordships are most earnestly entreated and required to be pleased to dispatch requisitory letters in favor of said Juan Gallardo, addressed to the Governor or Magistrate of the said New Netherland to arrest said Captain Sebastian de Raeff (alias Martin Bastiaenssen), with his Lieutenant Jan van Campen, on their arrival at the port of said country, where 'tis stated they ordinarily retire with their plunder; to seize their ships and effects for the satisfaction and indemnification of said Gallardo, and other his Majesty's subjects interested in their prizes, and afterwards to send both those Pirates prisoners to these provinces for trial and exemplary punishment as disturbers of the public peace, with orders, in case the Pirates should not be found there, to cause to be restored without delay to said Juan Gallardo, (as law and justice dictate, leaving to the purchasers their recourse against those Pirates), his nine negroes, and all the others he will recognize there belonging to the said prize . . . ; a demand as equitable that the said Ambassador will not doubt but their Lordships will most willingly grant it, as a proof that they do not approve such piracies, and to prevent the impunity thereto being an encouragement to the disturbance of the public tranquility."

On the 16th of January, 1656, Gamarra again wrote to the States General[1] reminding them of his former request and urgently entreating compliance therewith.

Upon this the States General, on the same day, resolved "to request Messrs. the Deputies from Holland, to take information at their convenience, upon the matter aforesaid, and acquaint their High Mightinesses thereof."[2]

On the 10th of January, 1656, the States General passed another resolution in the following language:[3]

"The additional Memorial of the Ambassadors of Spain, presented to their High Mightinesses, on the 6th instant, rejecting the case of Johan Gaillardo (sic) a Spanish pilot, against Captain Sebastian Raeff and his lieutenant Jan van Campen, . . . is again brought before the Assembly; and the same being considered, it is resolved and concluded hereby to request and commission Mr. Vogelsaugh to inform this Ambassador that the said Captain was duly and legally discharged at Amsterdam; copy of the aforesaid memoir and of that presented to their High Mightinesses on the same subject on the 11th of December, shall be transmitted to the Director-General Stuyvesant with orders, in case he find, on due inquiry, the matter to be as narrated in

[1] N. Y. Col. Doc. Vol. 1, 580.

[2] Ibid 581.

[3] Ibid.

the aforesaid memorial, to send the above named Jan van Campen hither, *pede ligato*, and, moreover, to allow those interested in the reclaimed slaves, to obtain good, brief, prompt and full justice."

Accordingly and on the same day a letter accompanied by copies of the memorials of the Spanish Ambassador and an extract of the above resolution, was sent to Director Stuyvesant[1] "with order and command that" he "regulate" himself "precisely according to the tenor thereof without in any wise failing therein."

Nothing appears to have been done in the matter, for on the 27th of April, 1656, the Council of Amsterdam addressed a letter to the "Governor and other officers of justice in New Netherland, as follows:[2]

"Honorable, wise, prudent, right discreet Gentlemen.

Jan Gaillardo Verrara (sic) a native of St. Lucas of Barameda, a subject of his Royal Majesty of Spain, hath represented to us that he, some years ago, sued for the restitution of several slaves and other property taken from him by a certain privateer and brought into New Netherland without his being able, up to this time, to procure satisfaction therefor, requesting our letters recommendatory thereunto; wherefore we have consented to recommend the matter hereby to your Honors, to the end that you may render prompt and expeditious justice to the above named Gaillardo. Which will insure our friendship, and we shall be always ready to reciprocate."

On the 3d of January, 1657, Gamarra again wrote to the States General requesting them to order anew the arrest of Captain de Raeff and his lieutenant.[1] After reminding the States General of the matter, he says "This poor man, having proceeded thither in the belief that their Lordships orders would be obeyed, and having discovered the said negroes and presented the petition. . . for restitution or at least attachment thereof has derived no other benefit from all the fatigue and expense of so long and dangerous a voyage, and from all his diligence, than the illusory resolutions of the Director and Council . . . who, their Lordships will perceive, acted with so much passion as even to refuse to examine the witnesses he was willing to produce to prove his right," etc.

On the 4th day of January, 1657, the States General ordered the Governor of the Island of Curaçoa to imprison the pirates should they go there, and further "Mr. Huygens and the other their High Mightinesses Deputies for the affairs of the West Indian Company" were directed to inquire and report upon the matter.

On the 25th of January, 1657, upon

[1] Ibid 581.

[2] Ibid 617.

[1] N. Y. Col. Doc. Vol. II, I.

[2] Ibid. 2.

the report of the deputies, the States General ordered that the Director General and Council of New Netherland be again written to and that the Governor of Curaçoa be instructed "to imprison said Captain and Lieutenant and to seize their ships and effects, whenever they came there, in order to be sent hither *pede ligato* for punishment, being guilty of divers piracies committed against the King of Spain's subjects." [1]

On the 12th of April, 1657, the Common Council of New Amsterdam requested "Mr. P. S. Stuyvesandt (sic) Director General, &c, to let him, said Gallardo, against Captain Sebastiaen Rast (sic) and his Lieutenant, J. A. Campen, (sic) or others, obtain quick and speedy justice." [2]

On the 20th of October, 1657, the Director-General and Council wrote to the States General a complete review of the case. In their letter they say that to read and examine all the "papers and documents relative to the affair" will too much interrupt your High Mightinesses' application to higher and weightier affairs, in the same manner as the bold and shameless impertinence of the aforesaid Gaillardo, to the effect that we merely glance at your High Mightinesses' recommendations without correcting the complaint, has troubled and disturbed not a little our small occupations. The Ambassador has been very much imposed on by the aforesaid Gaillardo, and consequently your High Mightinesses', by the Ambassador, in regard to the merits of the case, in representing that we had demeaned ourselves angrily towards him, Gaillardo, in refusing of justice and examination of witnesses whom the said Gaillardo was willing to propose. The contrary appears by the papers. . . The truth of the matter is, that Sebastiaen Raaf (sic) and Jan van Campen have never been here, at least not in our time." [1]

On the 26th of April, 1658, the States General referred the letters and enclosures to the Deputies of the West India Company.[2]

VII. DISPUTE BETWEEN THE ENGLISH AND DUTCH CONCERNING THE SOUTHERN BOUNDARIES OF NEW NETHERLAND.

At this time the southern boundary of the Dutch possessions was in question. The Dutch had several settlements within territory claimed by the English. One of these was located on Delaware Bay, then called the South River, and this territory the English contended was a part of the province of Maryland. Accordingly both the Dutch and English insisted upon their right to prosecute offenses committed in the disputed territory. The English refused to surrender to the Dutch, offenders charged with the

[1] Ibid. 3.

[2] Ibid. 4.

[1] Ibid. 23.

[2] Ibid. 47.

commission of crimes in these settlements, and in retaliation, the Dutch harbored fugitives fleeing from the English Colonies to New Netherland. In 1658 the English accused the officials of New Amsterdam of secretly sheltering fugitives from Virginia, and Vice-Director Alrichs was accordingly called upon to meet the accusation which he did in this manner:

"As to what concerns some fugitives who came with two boats from Virginia, and were stranded on Cape Hinlopen (sic), there was nothing secret in the matter, which was simply thus: They have been here, one, two or three months, and on further inquiry, mostly left this place for the Manhattans and the north, except one whom I arrested and sent back." [1]

In June, 1659, Vice-Director Alrichs addressed the following letter to Governor Fendall of Maryland:

"Honorable, Worshipful, Wise Right Prudent Sir:

Having understood here that some delinquents and fugitives from this place are harbored and skulking within your jurisdiction, domain or district, we have therefore resolved by this, our letter, to make declaration and give notice who those persons are, and how named, to wit: Hans Roeloff, of Stockholm, Andries Thomasen, of Jutland in Denmark, Cornelius Jurriaeuren of Winseren in Sweden, Jacob Jansen, of Antwerp, Jan Hinge of Utrecht, and Evert Brants of Amersfort, all soldiers, who have enlisted in such service for a considerable time. Some of them have deserted from here without a pass, on consequence of bad climate, others through rebellion and wicked disobedience. And being informed that they are skulking within your Honor's jurisdiction we were unwilling to neglect to greet your Honor herewith by the bearer of this letter, and also respectfully to request for the maintenance of justice, that those persons, as well as all such who, to get rid of the payment of their debts have absconded from hence, whom we shall from time to time, make further known, may, at our expense, be sent back, as we have heretofore done by the Governor of Virginia, on his Excellency's request, who has also promised to reciprocate; for which reason we trust that equity and policy proper to maintain neighborly friendship, have a place in your Honor's breast, and that your Honor will condescend to grant us this request. We further ask, in order to prevent such desertion, that henceforth none of our nation may be permitted to come from this place within your Honor's jurisdiction, except such as can exhibit a pass or free leave under our hand; on this, our special friendship, and the service of this State depend, and we shall reciprocate in like manner, and even much farther; desiring your Honor will please to allow us to receive a note in answer to this,

[1] Ibid, 54.

awaiting which, we remain after suitable compliment and commendation unto God's protection, Your obedient neighbor and servant,

CORNELIUS VAN GESEL, Secretary.

New Amstel, the 25th of June, 1659.[1]

On the 3d of August, 1659, Governor Fendall replied as follows:[2]

"SR.—I receaved a letter from you, directed to mee, as to Lord Baltemores Leiftenandt of the Province of Maryland wehere in you seeme to suppose yo[r] selfe to bee Governo[r] off a people seated in a part off Delaware Bay, w[ch] I am very well informed lyeth to the soveth ward off the degree ffourty Aand therefore, can by noe meanes owne or acknowledge any for Governo[r] there, but myselfe who am by his Lordschip appointed Leiutenandt of his whole Province leying between the degreas of thirty eight & ffourty. But doe otherwise desyre you to hould me excused, iff I use my uttmost endeavour to reduce that part off his Lordschips Province unto itts due obedience under him."

The refusal was based simply on the ground that the offence was committed within the English jurisdiction, and therefore was not within the cognizance of the Dutch authorities.

This question of the boundaries of the Dutch possessions was the cause of several other complications arising out of the escape of fugitives to the disputed territory.

The journal of Augustyn Heermans, appointed Ambassador from New Netherland to Maryland in the same year to treat with the "Honorable Governor General and Council of Maryland" concerning "the pretensions set up by Colonel Nathaniel Utie to the South River" &c. contains the following entry:

"October 18, Saturday——

We further inquired what was to be the understanding on the subject of our fugitives, and received for answer that they should, by law oblige such as were in debt to pay, but they did not mean to send them back, in as much as they considered the people in Delowar (sic) Bay to be under their jurisdiction, and consequently were not fugitives from the General and Council of the Manhattans. Whereupon we replied, that we too would adhere to the *Lex Talionis* in order to act in like manner."[1]

VIII. GOVERNOR STUYVESANT REQUESTED TO CAUSE THE APPREHENSION OF A MURDERER FOR THE ENGLISH.

On the 7th of May 1661, Governor

[1] N. Y. Col. Doc. Vol. II (Holland Documents 1657–1678) 64.

[2] Ibid. 67; I N. Y. Hist. Coll. III, 369.

[1] Journal kept by Augustyn Heermans during his embassy from Director General &c. Petrus Stuyvesant and Supreme Council of New Netherland to Honorable Governor General and Council of Maryland, (from the original in N. Y. Col. MSS, Secretary's office, Albany, XVIII;) N. Y. Col. Doc. Vol. II., (Holland Documents 1657–1678) p. 88–97.

Endicott of Massachusetts transmitted to Governor Stuyvesant the following:

"Boston 7 May 1661

Sir—Having receaved a letter from the Kings Ma^ty our gracious Soveraigne, a true copie whereof I have heere inclosed to yourself, and judge it no lesse than my duty by these bearers, gent^en of knowne creditt and fidellity to his Ma^jty & unto us, to desire in case that Colonell Whalley and Colonell Goffe be come into your parts, as we understand they are, fled from hence, especially from the justice of the English Nation, thinking to shroud themselves in these remote parts; that you would be pleased to deliver them to these beareres, wi^th meete helpe to convey them out of yor limitts into the English jurisdiction, to be conveyed to Boston to be sent as by his Ma^jty is required. In doing whereof you will not only doe an act worthy the amity and correspondency that is between our Nation & yours but such as you shall finde us ready on the like occasion to serve, and be Sir you^r thankfull & much obliged Servant.

John Endecott Gov^rn^r.

To the much hounored Peter Stuwessant Esq

Gov^rn^r of the New Netherlands, these."[1]

The following was the enclosure:

"The Governo^r of the Massachusetts Jurisdiction in New England having receaved a letter from his most Excellent Ma^ty Charles the Second &c bearing date the 5th of March 1660 directed to the Goven^r or Chiefe Magistrate or Magistrates of his plantation of New England requiring the diligent searching for & apprehending of Colonell Edward Whally and Colonell William Goffe &c:—Having sent for the magistrates adjoyning & proceeded to make choice of & send Mr Thomas Kirke & Mr Thomas Kelond (A John Chapin as their guide to attend on them) as meete messeng^s to carry not only true copies of His Ma^tyes letter to the Govern^r of Conecticott Dep^t Govern^r of New Haven & also to the Govr of the Manhatoes, or New Netherlands wth particular letters to each of them, for the best, most speedy and faithfull executing His Ma^ts cõmands and gave the said messengers severall letters instructions and directions to attayne the end & are as followeth:"

Then came the letter sent to the Governor of Connecticut, the Deputy Governor of New Haven and the Governor of Plymouth:

"To ye Govr of Conecticott Dep. Gov. New Haven & Gov. of Plymouth *mutatis mutandis*.

Sir—Having received a letter from the Kings Ma^ty our gracious Soveraigne, a true copie whereof I have heere enclosed, finding by the superscription hereof that it is of equall concernem^t to yor self & such of the

[1] N. Y. Col. Doc. Vol. III, 41.

magistrates as are assisting to you, as it is to us or any heere, and at present more, because the Gent^en rendered in his Maties letter guilty of so execrable a murther hath some whiles since departed this jurisdiction, wee have not beene wanting to ourselves in endeavouring the apprehending of them by an order of our Councill which hath bin issued out two moneths since, & now after my advising wth our Magistrates as many as such a time would permitt, I thought it meete in discharge of our duty to His Ma^ty by these bearers to send the same to yow, not doubting of your faithfull effectual & speedy discharge of your duty to His Ma^ty as is desired & therein required, not els, but my due respects to yor self & not doubting of yor readiness to comply wth so just & necessary a cômand, remaine, Sir

yor assured lovinge friend

JOHN ENDECOTT."

IX. ORDINANCE OF NEW NETHERLAND.

The following ordinance of the Director General and Council of New Netherland, "Prohibiting the bringing of Quakers and other strollers into New Netherland," was passed May 17th, 1663:

"The Director General and Council of New Netherland, To all those who shall see these Presents or hear them read, Greeting, make known.

Whereas we daily find that many Vagabonds, Quakers, and other Fugitives, are, without the previous knowledge and consent of the Director General and Council, conveyed, brought and landed in this Government, and sojourn and remain in the respective Villages of this Province without those bringing them giving notice thereof, or such persons addressing themselves to the Government and showing whence they come, as they ought to do, or that they have taken the oath of fidelity the same as other Inhabitants; the Director General and Council therefore do hereby order and command all Skippers, Sloop Captains and others, whomsoever they may be, not to convey or bring, much less to land within this Government, any such Vagabonds, Quakers and other Fugitives, whether Men or Women, unless they have first addressed themselves to the Government, have given information thereof and asked and obtained consent, on pain of the Importers forfeiting a fine of Twenty Pounds Flemish for every person, whether Man or Woman, whom they will have brought in and landed without the consent or previous knowledge of the Director General and Council, and in addition, be obliged immediately to depart again out of this Government with such persons, the fine to be applied one-third for the Fiscal, one-third for the Informer, and the remaining third at the discretion of the Court.

Thus done at the meeting of the Director General and Council holden

in Fort Amsterdam in New Netherland, the 17th May A. D. 1663."[1]

The passage of this ordinance was the last step taken with reference to the subject during the period of Dutch rule in New York.[2]

X. COMMISSIONERS INSTRUCTED BY THE CROWN TO INQUIRE CONCERNING FUGITIVES FROM ENGLAND IN THE COLONIES.

In April, 1664, Colonel Richard Nicolls, Sir Robert Carre, George Cartwright and Samuel Maverick, appointed by Charles II., Special Commissioners to visit the colonies, were instructed, among other things, as follows:

"You shall make due inquiry, whether any persons who stand attainted here in Parliam^t of High Treason, have transported themselves thither, & doe now inhabite or recyde or are sheltered there, and if any such persons are there, you shall cause them to be apprehended and to bé put on shipboard and sent hither; to ye end that they may be proceded wth according to law. And you shall likewise examine whether any such persons have been entertained & received there since our returne into England, & what is become of them, & by whom they were received & entertained there; to ye end & for no other (for wee will not suffer ye Act of Indempnity to be in any degree violated) that those persons may be taken ye more notice of, & may hold themselves to take ye more care for their future behavior."[1]

XI. CORRESPONDENCE BETWEEN GOVERNOR DONGAN AND THE GOVERNOR-GENERAL OF CANADA.

In a letter to the Marquis de Denonville, Governor-General of Canada, dated at New York, October 13th, 1685 (shortly after the re-establishment of English rule in the Colony), Governor Dongan makes the following reference to a demand for the surrender of certain persons who had fled from Canada and sought an asylum in New York:

"In regard to your fugitives I assure you that such persons as you will think proper to send, who are acquainted with them, will not want for any aid or assistance that this Government can supply to recover them. As for Jacques Vigor, this place shall not afford him a refuge. The woman's father is at full liberty

[1] O'Callaghan's Laws & Ord. of New York 439; N. Y. Col. MSS. Secretary's office, Albany X. Part II. 105.

[2] In a paper entitled "Vindication of Captain John Onderhill, in the name of as many of the Dutch and English as the matter concerns, which justly compells us to renounce the iniquitous government of Peter Stuyvesant over the inhabitants living on Long Island in America," it was charged among other grievances that he (Stuyvesant) "hath acted treacherously toward Thomas Wilton, for, notwithstanding the government hath promised him safe and secure conduct, he hath ordered his arrest and extradition." N. Y. Col. Doc. Vol. II. 151.

[1] N. Y. Col. Doc. Vol. III, 51, 54.

to come in quest of his daughter, and we will assist him in whatsoever is necessary." [1]

In a letter to Governor Dongan, of June 5th, 1686, M. de Denonville wrote:

"I have been informed that several vagabonds, rogues & worthless rascals have, through a spirit of avarice, gone from this colony, and in order to draw some peltries from the savages, tell them lies and falsehoods to conciliate them and insinuate themselves into their confidence. I remarkt that they are alarmed and uneasy without any reason. I thought, sir, I ought to advise you of it, and that several of those worthless characters have repaired to you of whom you ought to have as much distrust as I, as they are capable only of bad acts which sooner or later they will commit among you. I should like much that you would consent to act in concert to expel those vagabonds, assuring you that I will, on my part, employ myself faithfully in having sought for and arrested all those who will be found coming into this colony amongst us without your permission." [1]

On the 26th of July, 1686, Governor Dongan replied: "The strictest care shall be taken concerning runaways from you and those who are here, if you please to send for them, shall be all conveyed to you, but if there be any soldiers who have deserted, I desire you to give me the assurance that they shall not loose (sic) their lives." [2]

Governor Dongan's assurances do not appear to have resulted in the restoration of the fugitives, for on the 1st of October, 1686, M. de Denonville indicated his displeasure in this language:

"You were so good, sir, as to tell me that you will give me up all the deserters who, to escape the chastisement of their knavery, have fled to you; yet, sir, you cannot but know those who are there, but as they are all for the most part Bankrupts and Thieves, I hope that they will finally give you cause to repent having afforded them shelter, and that your merchants who employ them will be punished for having confided in rogues who will not be more faithful to them than they have been to our people." [3]

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[1] Gov. Dongan to Marquis de Denonville, N. Y. Col. Doc. Vol. IX, 292.

Note.—In 1684 the Council of Pennsylvania considered a bill for "a union between us and West Jersey, to have liberty to prosecute offenders in the said West Jersey" so as to provide "for all warrants to apprehend all persons by law punishable." The matter was at that time "left to a treaty with them." Minutes of Council of Penn. Vol. I, 141, 147. 13 Am. Law Rev. 181.

In 1685 a "hue and cry from East Jersie" was allowed by the Council to "pass this Province and Territoryes." Id: Hurd Hab. Corp. (2nd Ed.), 598.

[1] N. Y. Col. Doc. Vol. III, 458.

[2] Ibid, 460.

[3] Ibid, 461.

This called forth the following under date of December 1st, 1686:

"I have desired you to send for the deserters, I know not who they are, but had rather such Rascalls and Bankrouts (sic) as you call them, were amongst their own countrymen than this people, and will, when you send word who they are, expell, not detain them, and use all possible means to prevent your good wishes and hopes that our merchants may suffer by them." [1]

XII. AN "ANOINTED ROGUE AND VILLAINE" FROM CONNECTICUT.

In 1686, Governor Treat, of Connecticut, wrote as follows to Governor Dongan:

"MILFORD, July ye 3d, 1686.

Honorll Sr,

I haveing so greate experience of your neighborly courtesies am imboldened to request yor honors favor and justice for a neighbor, vid. David Bull, of Seabrook, who was as he saith Constable there ye last yeare and had a prisoner comitted to him and he charging a man wth him while seeking a second to have charge also, the first let him escape, and can not recover him, who is known to be anointed Rogue and villaine for stealing horses et cet. And this bearer tells me he is greatly damnified in one of our Courts for his letting him run away and he hears he is fled westward, he humbly craves yr honors good countenance and order to any of your inferior officers for his aid and assistance if he proves to need it & desire it for his apprehending and securing him for justice if he proves to light on him within yor province and you shall assure your selfe of the like readiness to serve yor honor and it hath been no small trouble yt could not answer yor desires of the same kinde wch I alwayes stand ready to doe but ye wilderness is wide and so many rogues that entertaines and conseales them yt we cannot serve our friends as we would." [1]

XIII. CASE OF ABRAHAM GOVERNEUR.[2]

On the 7th of January, 1693, Governor Fletcher, of New York, demanded of Sir William Phips, Governor of the Province of Massachusetts Bay, the surrender of one Abraham Governeur as a fugitive from justice. He forwarded to Phips a copy of a letter in Dutch written at Boston by Governeur to his parents, in which Governeur told of an interview he had had with Sir William Phips, concerning Governor Fletcher's administration, and according to the translation accompanying Fletcher's letter, had recounted how Sir William had said: "This old King James Council that is at York spoils all, and they must be out; the Governor is a

[1] Ibid, 463.

[1] N. Y. Col. Doc. Vol. III, 386.

[2] Abraham Governeur was clerk of the "Committee of Safety" in 1689; a supporter of Leisler; was imprisoned and condemned as a traitor in 1691, but was afterward pardoned.

poor beggar and seekes nothing but money and not the good of the country." [1]

Fletcher in demanding Governeur's return, said: "Possibly you may not know the person, but the ill consequences which this letter has produced, being sent from one hand to another of ye discontents in these parts of their majesties domains, and your name being used as a voucher to what he asserts, I thought myself obliged to lett you know, if the things alleged be true, you have forgott your duty to their majesties and your manners to gentlemen. If you have not discoursed these things to that fugitive who has fled from this province, after conviction and sentence passed upon him (for) murder, and what he says be ficticious, invented by himselfe, you will think fitt for your own vindication to secure his person and return him to this place being that of his former residence and from whence he has fled with apparent designs of disturbing the peace of this government." [2]

Thomas Clarke was appointed messenger to convey the demand to Phips.

On January 20th, 1693, Governeur himself wrote to Governor Fletcher as follows:

"I am informed by Mr. Clarke's message fro' yourselfe to his Excell. Sir William Phipps (sic) of your demands to have sent me to New Yorke a prisoner for the writeing of a certain letter ye contents whereof are construed by yourselfe as ye words of his Excell. to me. I doe p'sume ye originall is not well examined, for if any such matter be written, it is w^ht^ I have been informed of by others and not relating to his Excell; you are also pleased to term me a fugitive from ye hands of justice, wch by an order from yourself and Councill dated ye first of Septr last is contradicted, wherein you were pleased to insist that myselfe and others ye prisoners were sett at liberty by virtue of Her Majesties order in council dated ye 13th May last directed to yourself." [1]

On January 27th, 1693, Sir William Phips declined to comply with Gov. Fletcher's demand, saying: "I see noe cause to deliver Mr. Governeur unto your Jayler for I have examined him concerning his being sett att liberty and it appears by a certificate fro' the Clerk of your Councill by your order given that in pursuance of the Queen's command you were obliged to lett him out of prison." [2]

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[1] Abr. Governeur to his parents, N. Y. Col. Doc. Vol. IV, 4. (N. Y. Papers III, E 25.)

[2] Gov. Fletcher to Sir Wm. Phips, Ibid. 3. (N. Y. Papers III E. 24.)

Note.—A reference to this case is contained in the N. Y. Law Journal of March 16, 1891.

[1] N. Y. Col. Doc. Vol. IV, 5. In a letter to Mr. Blathwayt, of Feby. 14th, 1693, Gov. Fletcher speaks of Governeur as "a pardoned criminal." Id. 2.

[2] Sir Wm. Phips to Gov. Fletcher, Ibid. 5. (N. Y. Papers III E. 47.)

In an account of his interview with Sir William Phips, Clarke says:

"I demanded again y^tt^ Governeur might be seized and delivered to me, according to Governor Fletcher's lett^r^ . . . He said he would take it into consideration and speak with him, and then give me an answer. . . . S^r^ Wm. Phips declared y^tt^ Governor Fletcher had orders from the Queen to release ye prisson^rs^ butt contrary thereunto keptt them prisson^rs^ while he forced them to petition." [1]

Again in a "sworne narrative" Clarke states that Sir William Phips refused to deliver Governeur on the ground of his pardon and told him that "if Governeur had done any wrong" (in respect to the letter) "Coll. Fletcher might prosecute him at Boston." [2]

JOHN DOUGLAS LINDSAY.

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[1] N. Y. Col. Doc. Vol. IV, 8. (N. Y. Bundle S. P. O.)

[2] Ibid. 9. (N. Y. Papers III, E. 49.)

WAS COLUMBUS AN ADVENTURER OR A DISCOVERER?*

ANNIVERSARIES are useful; they project events of the past, more or less distant, into the life and thought of the present. The "days we celebrate" transport us back among the great things which made them worth celebrating; and for every succeeding generation or age these will be found to have an admonition, a lesson of encouragement or of rebuke. In this year of grace, 1892, the voyage of Columbus, made four hundred years ago, is more of a "live" question, is more thought about, talked of, written on, than it was in the summer of 1492. A veritable avalanche of publications—books, newspaper articles and editorials, magazine essays, paragraphs and pamphlets of various kinds—is falling from the laboring press upon a long suffering public. And as one might as well be out of the world as out of the fashion, we must e'en undertake our part, and offer our mite in these pages.

The rather ungracious question which forms our caption would suggest that the more hostile views of Columbus which have lately come to light in these fresh issues from the press, have had their influence upon us. If they have, it is not necessarily because they have impressed us as more true. It is the startling rather than the true that awakens attention; and it is a cheap way to startle the reading public by attacking some prominent character, which everybody had comfortably settled down into believing good or great. Hence the books that have for their aim to remove the world's high — perhaps too high, let us confess—estimate of Columbus, attract consideration first. We may be willing to lend an ear. We may prefer fact to panegyric; we may be willing to

*"CHRISTOPHER COLUMBUS, AND HOW HE RECEIVED AND IMPARTED THE SPIRIT OF DISCOVERY," Justin Winsor, (Houghton, Mifflin & Co., Boston and New York, 1892.)

"THE DISCOVERY OF AMERICA," John Fiske, (Houghton, Mifflin & Co., Boston and New York, 1895, 2 vols.)

"CHRISTOPHER COLUMBUS, HIS LIFE AND WORK," Charles Kendall Adams, LL. D., (Dodd, Mead & Co., New York, 1892; Makers of America Series.)

"THE STORY OF THE DISCOVERY OF THE NEW WORLD BY COLUMBUS," Frederick Saunders, (Thomas Whittaker, New York, 1892.)

weigh a great man over again in scales more strictly impartial. It is not necessarily hostility to a great name which leaves the mind open to considerations which will place him on a lower level of greatness, if his position or character has been unduly exaggerated. Indeed it may be the best service we can do him. For excessive admiration, an estimate far above the right one, is apt to create a reaction, and to tempt men to cast him down to a level below that which he may truly occupy.

This has been exactly the case with Columbus. We have learned to read his character under the fascination of Irving's charming pages and warm admiration. We shall have occasion to observe that Irving did not recklessly exaggerate his hero's merits. But still he has provoked a reactionary state of mind; to which no little contribution was made by later writers of a French school who have gone to the ridiculous extreme of wishing to canonize Columbus, and thus are diligent to point out the action of a saint in every detail of his conduct, even where his warmest admirers would hardly sustain his saintliness. The result of the canonizing has been, as in so many other instances, to raise up a school of cannonaders, who have riddled poor Columbus's character in a most unconscionable manner.

Latest among the cannonaders is the author of the first book on our list as given above. We must pause to give it our special attention. Historical criticism is one thing; but here is something quite apart from that; here there is discoverable a decided "animus," almost a personal "ill will," as one critic properly characterizes it. And while we have declared ourselves open to conviction regarding faults and blemishes in Columbus, we not only do not consider it incumbent upon a truly historical spirit to suffer a bitter assault to be made upon him, but, on the other hand, in that case we deem it a duty on the part of the historical critic to denounce the onslaught, and to expose its "animus." We can appreciate how an honest, original investigator, getting at some new facts or incidents, or reading some hitherto unpublished and damaging document, will grow impatient at the "received opinion," the prevalent prejudice in favor of Columbus. But there is such a thing as being prejudiced against a prejudice. And that too being a prejudice, it destroys the balance of mind just as surely as the thing against which the resentment or opposition was excited. With the deepest admiration for Mr. Winsor's scholarship, we fear we shall be able to prove that his work exhibits the baneful influence of this prejudice. Our only consolation in confronting such a discouraging and unhappy conclusion will be, that since his scholarship was tainted with an undue bias, his splendid labors need not wholly impair our confi-

dence in the merits of Columbus. We may still go on and believe there is some greatness left.

Classic story furnishes us with the incident of a bucolic youth whose resentment was excited against a toad at his feet; or else (what is worse) in mere wantonness of cruelty he proceeded to dash out its life with the handle of his scythe. Unfortunately, however, he forgot all about the "business end" of the implement, and as the scythe descended to strike the toad, the youth cut off his own head with neatness and despatch. This allusion to classic lore is suggested by Mr. Winsor's citation of Washington Irving's well-known arraignment of destructive criticism: "There is a certain meddlesome spirit which, in the garb of learned research goes prying about the traces of history, casting down its monuments, and marring and mutilating its fairest trophies. Care should be taken to vindicate great names from such pernicious erudition." Mr. Winsor thinks by this to prove triumphantly that Irving repudiated as well as rebuked all scholarship. He thinks that the citation shows up Irving, the eulogizer, so badly, that no one will notice the scathing reproof, deserved and true, of Winsor, the detractor. Before we are quite through with him we hope to show that Winsor's erudition has really something pernicious about it, and that he has "marred and mutilated" a fair trophy, instead of placing it in a true light, delivered from a too fond and partial admiration.

We need to make a somewhat minute comparison between Irving and Winsor for the reason that each is so prominent an example of his school. The Winsor school claims all the prestige of the modern scientific method, and finds great fault with Irving as being unscholarly, uncritical, careless. As Winsor coolly observes of Irving's "Columbus," "it has lost ground in these later years among scholarly inquirers. They have, by their collation of its narrative with the original sources, discovered its flaccid character. They have outgrown the witcheries of its graceful style. They have learned to put at their value the repetitionary changes of stock sentiment, which swell the body of the text, sometimes provokingly." Now then, who are the "they"? How many of them are there beside Mr. Justin Winsor? And suppose there are a few more besides himself; what if there be some other individuals also who may lay claim to the title of scholars, who are yet a little "bewitched;" who can read Irving's narrative without finding it all baseless or "flaccid"? "Provoking" is Irving to Winsor and his ilk? Yes, how apt are our modern *savants*—who are nothing but that—to despise the man who is quite respectably correct as to his facts but who has the genius to clothe his narration of them in a truly literary style!

Since it has come to a comparison between Irving and Winsor, in order to satisfy our historical criticism as to whose estimate a modern student may the more safely accept, determining whether Columbus was merely a low adventurer, or a lofty-minded discoverer—let us observe that the sources which Irving had at his command were not so very deficient as we are made to believe. Navarrete's "Colleccion," the preparation of which drew our historian to Madrid, contained pretty much everything that the modern scholars have since been able to get into their hands. And so we discover that all the great, and the smaller facts also, in Columbus's career receive a place and mention in Irving's narrative. We read some of those damaging circumstances which form the "stock" of Winsor and his class; and we come away from the perusal convinced that now there is an end of the greatness of Columbus. These must have come to view since Irving wrote; or if they were patent to him from the sources he studied, he must have passed them over, refusing to acknowledge the force of their argument against his laudatory theory. But when we turn again to Irving to refresh our minds with that antiquated old "literary" story—in Congress too, we understand, that "them literary fellers," are looked upon as poor stuff—we are astonished to find there the same facts, not slurred over, but given their full value in the conduct of the narrative. Now in the first place this speaks well for Irving's scholarship, since modern scholars have not many—if any—more of the important facts. And then in the second place, the facts being equal, the estimate of the character they illustrate becomes a mere matter of interpretation. That is not a question of scholarship but of human feeling; not a question of historical criticism, but of kindliness or venom; of judicious or "pernicious" erudition.

For instance, President Adams, who also has made a point to "emancipate" himself "from the thraldom of that uncritical admiration, in which it has been fashionable to hold the discoverer, ever since Washington Irving threw over the subject the romantic and bewitching charm of his literary style," presents a vivid account of Bartholomew Columbus's expedition to Xaragua, in Hispaniola. In plain terms he wanted to see the women of that province, and lascivious desire was the mainspring of that undertaking. We should have thought that Irving would avoid the mention of this expedition, if there were nothing but this to be said of it. But he does mention it, he even gives us a picture of the frightened beauty, Anacaona, falling back into Bartholomew's arms. But, "*honi soit qui mal y pense.*" There is not a suggestion of evil, and why need there be? Each reader can be left to draw the conclusion he pre-

fers; unfortunately the more sinister theory is apt to strike the imagination. Bartholomew, even if he must yield to the softer impeachment, did more than admire the women. He secured lasting results. Irving's interpretation of the identical expedition in which Adams sees so much—nay only—naughtiness, is this: "Thus by amicable and sagacious management, one of the most extensive provinces of the island was brought into cheerful subjection." We have an idea that Irving is correct, and that the "cheerful subjection" lasted till about the time that Ovando, who was sent out to improve upon the government of the Columbus brothers, committed the outrageous crime against this very people which we cannot even read of without a shudder. Observe again the treaty with Roldan. Adams says: "an elaborate agreement was reached, the details of which reveal at once the weakness of Columbus." Taking that same hard fact, "the details of which" were equally familiar to Irving, he remarks: "Thus critically situated, disregarding every consideration of personal pride and dignity, and determined at any individual sacrifice, to secure the interests of an ungrateful sovereign, Columbus forced himself to sign this humiliating capitulation." A quite different atmosphere surrounds us after the utterance of the one sentiment or the other.

Scholarship being about equal (or not so violently deficient in Irving) we wish to dispose of his unscholarly, *i. e.*, uncritical hero-worship, as it is charged against him, by exhibiting the quite as unscholarly bias against Columbus on the part of Mr. Winsor. A prejudice is a prejudice to whichever side it leans; and it is always incompatible with real scholarship, or the true historical spirit. Mr. Winsor's prejudice, his desire to mar and mutilate, is too plainly evident, and must be shown, painful as is the duty, to save an estimate of Columbus that shall be in accordance with genuine criticism. We make then, after a careful, and we trust impartial reading of his book, this severe but deliberate charge against him: Where the contrary of anything favorable to Columbus can not be directly proved, Mr. Winsor insinuates suspicions of the account. Even in the remarkable instance when of a whole fleet bound for Spain, only one vessel escaped a hurricane and reached the mother country, and that the one carrying Columbus's gold, and that (again) the poorest vessel of them all; doubt must be thrown upon the narrative. In spite of ourselves, no matter how materialistic we are, we will be struck by this event as a Providential justification of Columbus over against his enemies; Bobadilla who had sent him in chains to the sovereigns being among those who perished. But even such an indirect or involuntary impression in favor of Columbus must be checked, nipped in the bud, by Mr. Winsor.

While President Adams accepts the account, and allows the impression; while there seems to be no special need to call it into question; yet Mr. Winsor remarks, "if the testimony is to be believed, this was the weakest of them all" (p. 441).

Further, we are well aware that even a baseless story against a man has a peril in it for his reputation. No matter how untrue, when told it is told, and the law of association connects it invariably with his name. So then when we wish to hurt a man's character we deliberately tell such stories. If we are not absolute liars we may guard ourselves by saying, "it is said," and without vouching for the truth; nay, we may even cast serious doubts upon the evil tale we tell. But nevertheless the harm is done. And hence we are forced to charge Mr. Winsor with mentioning the worst hints with the intention of lodging their poison in our minds, even though baseless. It is no palliation to introduce an "it is said," or "if we may believe." For instance (pp. 241–242) he observes: "if we may believe Columbus himself, in a letter which he subsequently wrote, he did not escape being suspected in Spain of having thus put himself in the power of the Portuguese in order to surrender the Indies to them." How disingenuous to make Columbus his own accuser in this case! The base suspicion is started; who will stop its influence? It may be argued, if this suspicion was a fact of history, why should it not be mentioned? But if while the suspicion were a fact, the ground of it were a mere venomous imagination, it would be the part of a fair biographer (without bias) to indicate the utter want of evidence for the foul intention, by the side of such a dark hint. Mr. Winsor leaves it to stand alone, to work its worst effects upon minds easily turned against Columbus, and with an uncomfortable impression even upon minds prejudiced in his favor.

So in this same connection he leaves us to infer (again by one of those diabolical hints) that Columbus himself was responsible for the dastardly project to assassinate him on the part of the Portuguese. "He is represented [thus the sting of this thought enters our cranium] as launching these rebukes [of the king] so vehemently that the attending nobles were provoked to a degree which prompted whispers of assassination" (p. 241). And this affords an instance too of Mr. Winsor's historical criticism. He and his school charge Irving with being uncritical. Is it critical, or scientific, to quote in support of any statement or of any view of a certain act, the assertion of one single historian, and one who, on account of national prejudices is almost sure to color his account in favor of his own countrymen. This Portuguese scheme to murder Columbus was not a very creditable thing. We would hardly look to a Portuguese historian therefore, to learn

the true explanation of it. And surely our suspicions of his accuracy or sincerity would be confirmed, when his ingenuity had contrived to make the subject of the outrageous scheme responsible for it. Yet Mr. Winsor does not repudiate this unworthy explanation; he quotes it; we cannot help thinking it is with approval. When he says of Irving: "He glorified what was heroic, palliated what was unheroic, and minimized the doubtful aspects of Columbus's character," we seem entirely justified in using this very sentence, with some slight transpositions and alterations, against Mr. Winsor himself, and make it read: "He intensifies what was unheroic, palliates what was heroic, and magnifies the doubtful aspects of Columbus's character." We have already justified this verdict against Mr. Winsor by what we have adduced. We have still more to adduce.

King John's nobles are no longer so base as they seemed. Columbus provoked their murderous intentions. So as we look through Mr. Winsor's eyes at the other people with whom Columbus came into contact, strange metamorphoses take place. The good people who befriended him sink with him into the mire industriously spread out by his biographer. Those men (some of whom Mr. John Fiske does not hesitate to call "wretches,"—to which we say amen,) who harassed and degraded him, come forth into an unwonted halo of light and "sweet reasonableness." Isabella, whom, (even after taking Prescott with some allowance) we had supposed to be quite a respectable character, by the hand of Mr. Winsor is written down "an unlovely woman at the best, an obstructor of christian charity;" and "in her wiles she had allured Columbus to a belief in her countenance of him." This is enough to take our breath away, and really paralyzes all comment. *Per contra*, we look in vain through Mr. Winsor's pages for a trace of condemnation of Pinzon's base purpose in deserting Columbus on the Cuba coast; but we are told that through Columbus's sinister influence he was refused a chance to appear at court. His second offense in seeking to circumvent Columbus in announcing the discovery in Spain, receives no mention at all. Pinzon dies of chagrin at being kept from court by Columbus, not of mortification at the exposure of his attempt to rob Columbus of the glory of a discoverer.

Of course in line with all this "the wretch," Fonseca, (really Mr. Fiske is very plain-spoken and vivid) is not nearly so black as we had been foolishly led to suppose. His persistent persecution and petty annoyance of Columbus; his secret encouragement of all the revolts that made Columbus appear so poor an administrator, and without which the conduct of some of these insurrectionists is simply inexplicable; must not be

too readily taken for granted. "It is not always just to single out a single victim for condemnation," sweetly and charitably remarks Mr. Winsor (p. 256), "as is done by Irving and the canonizers." According to Mr. Winsor it would seem that this is only just in case the single victim be Columbus himself; but the angel Fonseca must not be too harshly judged. Naturally, too, that exemplar of monumental folly and vanity, Bobadilla, comes in for a share of whitewash. "It may be that he will not bear with discredit a comparison with Columbus himself" (p. 395). It is significant that in treating of this crisis of Columbus's affairs, no account is taken of the criminal character of the Spanish colonists whom it fell to the Admiral's lot to govern. For aught Mr. Winsor implies to the contrary, they were like an exemplary band of Sunday-school children, whom it was an unpardonable offense not to be able to control and guide peacefully. It is likewise a suspicious circumstance that Winsor's pages hardly, if at all, cast up into the view that dominating factor of trouble, the jealousy and hatred of Columbus aroused among these despicable hordes of desperate fortune hunters and scum of the jails, by the mere fact that he was a foreigner. This ought to have a place in the processes of a scientific historical criticism. Mr. Winsor gives it no place, or not a sufficiently prominent one.

Once more we are compelled to make a note of one matter. It may not be intentional on Mr. Winsor's part; it may not be fair to put an evil construction upon it. But in view of all the rest that construction would appear to be warrantable. It is this, that even in the account of the pitiful (not pitiable) death of Columbus, Mr. Winsor pursues the subject of his biography with a shaft of contempt or disrespect. We are told that "uttering, 'Into thy hands, O Lord, I commit my spirit,' he gasped his last" (p. 490). Now that gasp grates unpleasantly on the ear. He might have been let "breathe" his last, as most people do. We may be deemed finical, silly, or harsh in this judgment. But not so when we read (p. 512) the peroration of his travesty of Columbus: "We have seen a pitiable man meet a pitiable death. . . . The triumph of Barcelona led down to the ignominy of Valladolid, with every step in the degradation palpable and resultant."

Bobadilla's chains upon the hands of Columbus created a reaction in his favor which utterly defeated the end for which he had been sent to Hispaniola. If Columbus were indeed to blame, no one would now patiently listen to even a trial or a judgment. So the labors of Mr. Winsor pursued with the bias, the animus which are too apparent, defeat the ends of scholarship; for he creates such a reaction in the minds of the average or even the scholarly reader, that he can hardly bring himself to

undertake an impartial weighing of this character, or to come to a conclusion based on facts. Men rise up at once in the spirit of advocacy, and cease to be judges.

We are far from being hero worshippers, but neither do we wish to be hero detractors. To point out wherein a great character has been overestimated is one thing: to diligently labor to show that there is nothing great in it whatever is another thing. When we are forced to correct such an overestimate, we do it with hesitation, it is a painful and an ungrateful task. The fault we find with Mr. Winsor is that he seems to enjoy it, and drags in his hits at Columbus when there appears but the slightest occasion for it. Before he ever gets to the story of his life at all, he has already drawn an "odious" comparison between Prince Henry the Navigator and Columbus—people quite sufficiently distinct in situation we would think, to escape such a jumbling of their names and missions. Facts are facts, hard, obstinate, unmanageable things. When we all possess the same facts about a man's life, or substantially the same ones, then you and I may go about making up our minds as to motives. Within certain limits we may judge of these as we please—we usually do judge according to our own temperaments, most frequently are directed irresistibly by our prejudices. But in this exercise scientific criticism or historical acumen very naturally are held in abeyance. When prejudice rules, these qualities, ordinarily so conspicuous in Mr. Winsor, are dormant even in him.

For, setting aside Irving—so provoking to Mr. Winsor in his unscholarly admiration—other scholars besides Mr. Winsor have discovered something more than a pitiable creature in Columbus, coming deservedly to a pitiable death. President Adams (p. 73) observes: "His knowledge, his courage, his faith, his tact, and his persistency were enough to hold a band of powerful advocates firmly to his great cause and, in the end, bring it to success. Whatever abatement from an unreasonable glorification of Columbus modern research may feel compelled to make, these are great qualities, which the progress of time can never efface or obscure." John Fiske, too, in his "Discovery of America" (of which book we shall have much more to say in the next number) joins issue with Justin Winsor. He asks: "How could Las Casas ever have respected the feeble, mean-spirited driveller whose portrait Mr. Winsor asks us to accept as that of the Discoverer of America?" In Mr. Frederick Saunders' pleasing little volume, the chapter on "Estimates of His Character," is particularly useful and instructive in bringing together the many men with their many minds on this topic. He introduces his convenient garland of quotations with the remark: "Looking through the hazy distance

of four centuries, it is difficult to form any adequate estimate of a character so complex as that of Columbus. In some respects it seems unique, and not to be judged by any modern standard of criticism." And from Mr. Saunders' citations we select that which furnishes us with Harrisse's estimate of Columbus. Harrisse certainly is a scholar, and the fame of Columbus has not been treated very tenderly at his hands; yet says he: "Nor must you believe that I am inclined to lessen the real merits of the great Genoese, or fail to admire him; but my admiration is the result of reflection, and not a blind hero-worship. Columbus removed out of the range of mere speculation the idea that beyond the Atlantic Ocean lands existed, and could be reached by sea, and made of the notion a fixed fact, and linked forever the two worlds. That event, which is unquestionably the greatest of modern times, secures to Columbus a place in the pantheon dedicated to the worthies whose courageous deeds mankind will always admire." So then even Harrisse can admire; even he can discern a greatness in Columbus. Therefore it does not seem to be the general conclusion of modern scholarship (except as represented in the individual personality or brain of Mr. Justin Winsor) that in Columbus nothing is admirable, nothing is great; that we have here only a pitiable man meeting a pitiable death, and deservedly so!

And after all, why make such an ado about the character of Columbus, some one may ask. What did that have to do with his discovery of land beyond the illimitable Sea of Darkness? It is as if we had under discussion the propagator of a new religion, instead of the pioneer voyager to a new world. As an acute critic remarks: "Columbus might have been an extremely lofty character, and yet have been incompetent to discover America." Speaking of Winsor's book this same writer says: "His quarrel with Columbus appears to arise from a disappointment at not finding in a man who did so great a deed a private character of equal supremacy; in other words, besides discovering America he would have had Columbus as eminent as Washington for humanity, as eminent as Cromwell for administration, and as pure and disinterested in his labors as St. Vincent de Paul."

There does indeed appear to be some irrelevancy in getting so heated in a controversy about the personal character of Columbus. The canonizers seem an inconsequential lot, and the cannonaders quite as much so, to permit themselves to be hurled headlong to the other extreme. Yet there is a use and an interest in the inquiry so far as it will answer the query of our caption, whether Columbus was merely an adventurer, or whether he is entitled to the higher consideration of a discoverer? Mr. Winsor touches a practical question

with his denunciatory spirit when it induces him to say: "From the moment when he turned his mule back at the instance of Isabella's message, the lofty purpose had degenerated to a besetting cupidity, in which he made even the Divinity a constant abettor." Is that true, then even the merit, or rather the glory, of the discoverer must be denied to Columbus, together with every other personal worthiness. There are many things that have a look of the mere fortune-hunter. Rewards were set high by Columbus, and rewards—material rewards—were made a *sine qua non*, quite apart from the usefulness or advantage of the hoped-for discovery to Spain or to the world. We grow a little wearied at times, we get rather indignant more than once, at the persistent search for gold and riches, and the promise of larger financial returns if only more of the country shall be brought to light. All this smacks too strongly of the adventurer. Perhaps there was no noble purpose, or scientific ardor pure and lofty to sustain Columbus, but only the hope of sordid gain. If Winsor's estimate of Columbus is the correct one, if it can not be upset, nay even if, without such an important consideration, it be recklessly accepted—that is, if Columbus had nothing great about him—then we can interpret these actions and promises and bargains of his no otherwise. But if we as honest scholars, as truly scientific, philosophic, historical critics may yet cling to some vestiges of greatness in Columbus, then the possibility arises that even these suspicious actions, promises and bargains may be interpreted on the higher plane. That they are capable of such interpretation is proved not only by the fact that Irving can look at them, and find a loftier purpose and desire around them and above them. We will not "provoke" Mr. Winsor by citing Irving's example. But the possibility of the conclusion that Columbus was a discoverer beyond and above an adventurer, is proved also by the fact that "modern scholars" like Harrisse and Fiske can still admire him.

The world has a right to its great characters. It is a serious thing to rob it of these. In the sphere of individual experience we see so much that is mean and unworthy in men, that we need our great men to keep up our faith in humanity. If we can possibly believe that Columbus was more than a sordid adventurer, let us do so. If we may at all legitimately believe that he was great, let us cherish that faith still.

LEONARD IRVING.

ORIGINAL DOCUMENT—LETTER OF COLUMBUS TO SANT ANGEL.

THE important event which is repeatedly described by unbiased scholars as "without a parallel in history," and as "unquestionably the greatest of modern times" (Harrisse), had taken place. Columbus had sailed across the dread, unknown Western ocean, had verified his theory that land could thus be reached, had confuted the wise theories of self-satisfied scientists, and baffled the conclusions of Biblical interpreters. Better than all, above all spiteful reflections, he had (although unconscious of it himself) "linked forever two worlds." In wandering about among the strange coasts and islands he had run aground his largest vessel, so that for the return voyage there remained but two insignificant caravels, without a deck in the center. Imagine such craft exposed to fierce storms upon an unfamiliar sea, in an exceptionally tempestuous winter, and one may conceive how precarious seemed the chance that the world should ever know what had taken place.

Still while there were two caravels, there were at least two frail shreds of possibility that the important news should reach the civilized world. What then must have been the anxiety of Columbus, when after a particularly fierce tempest, no signs of his companion vessel could be discovered, and day after day the horizon was keenly scanned in vain? Now the sole hope of the world's knowledge of his achievement rested in the precarious bottom of the leaking Nina, the "little one," alone. Irving graphically sets forth the situation: "During this long and awful conflict of the elements, the mind of Columbus was a prey to the most distressing anxiety. He feared that the Pinta had foundered in the storm. In such case the whole history of his discovery, the secret of the New World, depended upon his own feeble bark and one surge of the ocean might bury it forever in oblivion. The tumult of his thoughts may be judged from his own letter to the sovereigns: 'I could have supported this evil fortune with less grief, had my person alone been in jeopardy. . . . But it was a cause of infinite sorrow and trouble, to think

that, after having been illuminated from on high with faith and certainty to undertake this enterprise, after having victoriously achieved it, and when on the point of convincing my opponents, and securing to your highnesses great glory and vast increase of dominions, it should please the divine Majesty to defeat all by my death."

Such were the harrowing fears of Columbus while the tempest raged and the waves were ruthlessly tossing up and down his nutshell of a boat. What was to be done? On February 15th an expedient suggested itself and was acted on at once. Two accounts were prepared by Columbus of his voyage and its achievements. One of these was wrapped in waxed cloth, then placed in a large cake of wax, and introduced into a small cask carefully closed. The cask was thrown into the sea, in the hope that even if he and his crew should all perish, in this manner the account might be saved and washed ashore on some of the coasts of civilization. But not satisfied with this precaution, Columbus bethought himself of another. The company might all perish, and the vessel be beaten to pieces by the waves, yet not sink to the bottom. Then it would be well to let even a fragment of the ship bear the great news to Europe. Hence at the same time with the former cask he prepared a similar one to be lashed to the deck and placed the other parchment in this.

Did either of these casks or their contents come to light afterwards? It would be a most momentous find for any one to happen upon the cask cast into the sea. Is it a hopeless case that some mariner or voyager may come upon it yet? Why should it be? That cask must have gone somewhere; it may have been thrown upon some sharp rock and cut to pieces within the last century. It may have become imbedded in some iceberg on Arctic or Antarctic shores. But imagination may just as legitimately suppose it to have been cast into some snug corner on some gentle coast, kept sufficiently under water to prevent rotting, without worms to gnaw, or sea serpents to swallow, waiting in this very year of grace to be picked up by some enterprising Chicago man, indubitably the biggest curiosity yet collected, and worth a mint of money to the finder.

And what of the other cask, lashed to the deck? Historians lament that of this too, there remains no trace. But what does it matter as regards the cask itself? When land was reached it was doubtless broken up, and the letter or report taken out, and sent to the proper address. In either case there seems to be no question that we possess the documents, or the very contents of them, that were placed in the cake of wax. The tossing boat upon a raging sea was hardly the place to indulge in the pleasures of composition or letter writ-

ing, greatly addicted as Columbus is known to have been to the epistolary habit. So having written one account for the barrel on the deck, and arriving safely in port, Columbus in all likelihood utilized it as a letter to be sent to court. And as to the account put into the barrel thrown into the sea, there is every probabiltiy that this was duplicated. We know that on February 15th and 18th two letters were written, one to Gabriel Sanchez, Treasurer of Castile, the other to Luis de Sant Angel, Treasurer of Arragon. Now, composition during the tempest being so difficult, we may well conclude that one of these letters was duplicated and placed in the cask to be cast away. But it is not likely that the same trouble would be taken (of making another copy) for the one to be placed in the other cask, which on safe arrival in port could simply be taken out and sent to the person addressed. Thus the only uncertainty that abides is, which letter was thrown into the sea? a not very important question since we possess the contents of both of them.

The letter to Sant Angel appears, in a fac-simile of its earliest printed form, on following page. For a long time it was believed to have been lost, while that to Sanchez alone was thought to have come down to posterity. The latter was translated into Latin. "Its publication," says Mr. Saunders, of the Astor Library, "created a profound sensation throughout the States of Europe, six editions of the Latin text having been exhausted within the year of its first appearance." It is so rare now that two years ago a copy was sold in New York for only a little less than three thousand dollars. One of the four copies now known to exist is in the Astor Library, and was bestowed upon it as a gift by the Hon. W. W. Astor about twenty years ago.

But a deeper interest centers about the letter to Sant Angel, in the first place because only three genuine copies of it are known to be in existence, and in the second place because it presents the original Spanish in which Columbus composed it. In 1852 a copy of it was bequeathed by an Italian collector to the Ambrosian Library. But its real value was not discovered till very lately. It was supposed to be the Spanish original of the Latin edition of the letter to Sanchez. When it was found to be the letter to Sant Angel which was thought not to have been preserved at all, it awakened intense interest. And when shortly after this discovery another copy of it was thrown upon the market at the sale of the Ives collection in New York, an opportunity occurred of testing its worth in money. It was sold for $4300; as it consists of only eight pages of the size of the fac-simile, it is beyond comparison the dearest book in the world. Indeed it is held at a higher price than even this by Quaritch of London, who puts it

Eñor por que se que aure is plazer de la grand
victoria que nr̃o señor me ha dado en mi vyaie
vos escriuo esta por la ql sabreys com̃o ẽ xxxiij
dias pase alas jndias cõla armada que los iu
lustrissimos Rey ⁊ reyna nr̃os señores me roi
donde y falle muy muchas Jslas poblades con gẽre s yn
numero. y delas todas he tomado posessiõ por sus alteza
con pregon y vãdera real estẽdida y nõ me fue contradico.
Ala primera q̃ yo falle puse nõbre sant saluador a coemo
racion de su alta magestad el qual marauillosa mẽte todo
esto andado los jndios la llamã guanaham. Ala secũda p-
sa nõbre la ylla de stã maria de cõcepcio. ala tercera ferrãdi
na. ala quarta ysabella. Ala quinta la ista Jnana ⁊ asya a
cada una nõbre nueno Quãdo yo legue ala juana segi yo
la costa della al poniẽte y la falle tan grãde q̃ pense q̃ seria
tierra firma. la puincia de catayo y com̃o no falle ali villas
y lugares enla costa dela mar saluo pequẽnas poblanes
con la gẽte delas q̃les nos podia hauer fabla por q̃ luego
fuyã todos. andaua yo adelãte por el dicho camino pesan
do de no errar grãdes Ciudades o villas y al cabo d̃ mu
chas leguas visto q̃ nouauia ĩnouacion y q̃ la costa me e
uaua al sette trion de adõde mi volũta era contraria por q̃
el yuierno era ya encarnado yo tema posito de hazer dll al
austro y tambie el viẽto me dio adelante determie de no a
guardar otro tiẽpo y bolui atras fasta vn señalado puerto
dadõde enbie dos hõbres por la tierra saber si auiai rey
o grãdes ciudades andouierõ tres iornadas y hallaõ infi
nitas poblaciõnes pequẽas y gẽte sin numero mas no co
sa de regimiẽto por lo qual se boluierõ yo entẽdia hata de
otros jndios q̃ ya tenia tomados com̃o cõtinua mẽte esta
tierra ara ista ⁊ asi segui la costa della al oriẽte ciẽto y siete
leguas fasta dõde fazia fin: del qual cabo vi otra issa al orẽ

FAC-SIMILE OF THE FIRST PAGE OF COLUMBUS'S LETTER TO LUIS DE SANT ANGEL.

down in his catalogue (April 16, 1891) at the comfortable figure of £1,750 or $8,500 in round numbers. As Mr. John Fiske observes: "Evidently most book-lovers will have to content themselves with the fac-simile published in London, 1891, price two guineas." The fac-simile in this number was taken from a copy of this London fac-simile, which is accompanied by a reprint of the Spanish in modern type and also a translation in English.

TRANSLATION OF THE FAC-SIMILE PAGE OF THE COLUMBUS LETTER.

"Sir: — As I know you will be rejoiced at the glorious success that our Lord has given to me in my voyage, I write this to tell you how in thirty-three days I sailed to the Indies with the fleet the Illustrious King and Queen, our Sovereigns gave me, where I discovered a great many islands inhabited by innumerable people, and of all I have taken possession for their Highness by proclamation and display of the Royal Standard, without opposition. To the first Island I discovered I gave the name of San Salvador, in commemoration of His Divine Majesty, who has wonderfully granted all this. The Indians call it Guanahani. The second I named the Island of Santa Maria de Concepcion; the third, Fernandina; the fourth, Ysabella; the fifth, Juana; and thus to each one I gave a new name. When I came to Juana, I followed the coast of that Isle towards the west, and found it so extensive that I thought it might be mainland, the province of Cathay; and as I found no towns nor villages on the sea-coast, except a few small settlements where it was impossible to speak to the people, because they fled at once, I continued the said route thinking I could not fail to see some great cities or towns; and finding at the end of many leagues that nothing new appeared, and that the coast led northward contrary to my wish, because the winter had already set in, I decided to make for the south, and as the wind also was against my proceeding, I determined not to wait there longer, and turned back to a certain port, from whence I sent two men on shore to find out whether there was any king or large city. They explored for three days, and found numerous small communities and innumerable people but could hear of no kind of Government so they returned. I heard from other Indians I had already taken that this land was an island, and thus followed the eastern coast for one hundred and seven leagues, until I came to the end of it. From that point I saw another isle to the east.

HISTORICAL NOTES.

Juan Perez' Share in Discovering America.

Really too much credit cannot be given to the good prior Juan Perez for his share in the discovery of America. He may have been a small link in the chain of events leading up to the supreme result, but if that small link had failed to do its part in holding the chain together there would not have been any chain at all. He was but a humble priest, a country parson, so to speak, very likely poor, possibly not brilliant or learned. Even the nineteenth century, and a faith allowing more liberty of intellect, has its ministers in rural parts whose prejudices of the cloth comfortably shield them from all the discomforts of thinking or judging independent of tradition and creed; to whom every new idea, whether in geography or geology, if it has the remotest bearing on theology of a corrective tendency—is a temptation of the devil. Juan Perez, in the fifteenth century and a Catholic priest, must have had his dense traditions and a carefully prescribed theological conception of the earth and the universe. But he was a man who had used his opportunities. He had not lived near Palos in vain; he had not associated with sailors and travelers without learning something of the world. He had "dabbled" a little in science; he and the country physician understood each other, and may have been fascinated by the exciting pastime of walking on the verge of heresy. To such a man, or to such a mind, the story of Columbus was at once of interest. The scientific portion of him was all aroused to enthusiasm by the project which he knew would upset Augustine and a half-dozen or so of owlish, church fathers. But he astutely employed the devout portion of himself—the priest—to gain the ear of the pious and priest-ridden queen. The enthusiasm and conviction of the scientist supported the pleadings of the priest, and these succeeded in arousing the interest and enthusiasm of the queen. And now the project of Columbus was bound to have a trial. As a recent writer truly remarks: "When he was once face to face with Isabella, the matter was settled. When a good

priest is in earnest, when a good woman is in earnest, and when they are leagued together, the mountains might as well move at once." All honor then to good Juan Perez, the country priest, theologically hide-bound, but capable of scientific thinking.

* * *

Yankee "Notions" Too Much For Cooper.

Anyone at all familiar with Cooper's delightful tales will have noticed that he is always bound to have his fling at the New Englanders. He does not exactly make his "villains" hail from that section of the country, but they are certainly not "heroes" in any of his novels. "David Gamut," in the "Last of the Mohicans," may be a very worthy person who has his "gift," according to Leatherstocking's expression. But he does not especially win our admiration. In "Satanstoe," the representative of New England is Jason Newcome, and he is only a somewhat improved edition of Irving's Ichabod Crane, of the same ilk, the Yankee schoolmaster. Cooper makes these creations the occasion for preaching sermons against certain dreadful New England habits of speech or action: the pronunciation of new as *noo*, produce as *prodoos*, duty as *dooty*, etc., etc.; the custom of invariably calling military gentlemen by their rank, as Captain, or Major so-and-so, when encountered in civic circles, whereas such persons were addressed as Mr. under those conditions, according to approved English style. Then Jason created quite a tremor of indignation in the noble bosoms of Cooper's fine New York ladies by offering to pay for them when they went with him to some public entertainment. But now we all know well enough that in spite of Cooper's diatribes or satires, these Yankee notions have greatly prevailed in all this land. Many a graduate of country colleges sturdily disregards the proper pronunciation of *new*, *assume*, *traduce*, and such words. We would feel very mean if the lady whom we accompanied to a theatre or concert, should bring forth her purse and pay for herself. And how titles of a military nature flourish among us! Gentlemen who have been in civil life for a generation, and from whom every vestige of soldierliness has long departed, still glory in the appellation of General, or Major, or Captain, or Colonel, much to the amusement of visitors from nations where it does amount to something to be a military man, and where yet on "superfluous" occasions, or under incongruous conditions, the title proper to their rank is modestly dropped.

It is really an interesting historico-social question as to how this state of things has come about. Most probably because the race of Yankee schoolmaster was a prolific one, and at an early date had gained posses-

sion of all the school teaching that was ever done in any part of the rural or backwoods regions. In those regions too he would be the teacher of "propriety" as well as of pronunciation. While the unfortunate awkwardness of our prefix Mr. makes people naturally resort to the more convenient title, if there be but the slightest apology for applying one, giving the street gamin the inexpressible relief afforded by the elegant appellation "Boss."

* * *

Commission of Daniel Akhurst as Secretary of North Carolina in 1692.

While in Raleigh, N. C., in September, 1890 (writes Prof. Weeks of Trinity College), I received from Mrs. Thomas D. Martin the original of the following commission of Daniel Akhurst as secretary of North Carolina. It is written on parchment and was signed, as the two kinds of ink indicate, on February 9, 1692 [1693]. It came to Mrs. Martin as a part of the property of her cousin, Mrs. Frances Blount Hill, the relict of William Hill, who was Secretary of State for North Carolina, 1811–1857. There is no mention of this commission in the Colonial Records of North Carolina, nor do we find mention of Akhurst in those records until November, 1694, when he appears to acknowledge a bill of sale. He was an attorney and a member of both the General Court and the Court of Chancery of the province. In January, 1699, we find him coming into court with a case against Stephen Manwaring who is ordered to pay him 8£, 1*s.*, 1*d.* in "poork," Akhurst probably remained in office up to or near the time of his death. The manuscript records of the Quakers contain the simple statement of his decease with a word of comment on his career. "Daniel Acorst: A publick friend departed this life in ye 9th or 10th month in ye year 1699 he being A man of A powerful testimony And frequent in prayer and that labored much in the ministre of our Lord Jesus in the necessity of this province."

The commission is as follows:

William Earle of Craven Lord Viscount Craven Marshall Palatine and the rest of the true and absolute Lords and Proprietors of Carolina.

To Daniell Akhurst, Esqr.:

Wee being well assured of the wisdome, Prudence and Integrity [?] of the said Daniel Akhurst Have thought fitt and Doe by these presents during our pleasure Constitute and appoint the said Daniel Akhurst Secretary of that part of our province of Carolina that is scituate North and East of Cape [Fear] . . . giving full power

to be present at all meetings of the Governor or Deputy Governor and Councill and alsoe to help them enact legally all [?] their acts and orders and also to receive from the Surveyor Generall all Certificates of land by him layd out and Surveyed according to the warrants Issued out by the person or persons we have Impowered or shall hereafter Impower to grant such warrants and to draw up such Lease or Leases conveyance or assurance of land as by our Instructions is or shall be hereafter directed which being signed and seal by the person or persons wee have or shall hereafter Impower soe to doe you shall carefully Inroll the same and Doe and performe all other acts and things that have been usually done by the former Secretarys in that part of our province aforesaid and wee doe Hereby repeale and Revoke make null and voyd all former Commissions for the said office Given under our hands and the great seale of our province this ninth day of February in the year of our Lord One Thousand Six Hundred ninety and Two.

(Signed.)

CRAVEN PALATINE
ASHLEY
J. COLLETON
JOHN ARCHDALE
for THO. ARCHDALE.

* * *

Estimates of Thomas Jefferson.

Whatever may be said, Thomas Jefferson remains one of the colossi of our Revolution and early Republic. He stands forth, and will stand forth as long as we retain a history, as the author of the Declaration of Independence, and as the first President of the real Democracy at the basis of the Federation. We were, after all — under the lead of Washington and Hamilton—a sort of aristocratic republic. It was a rule of the best men. The best men were then—as alas! they are not now—in office. It was natural that these men of high principle, of good breeding, of great intellectual capacity should be a little distrustful of those who had not enjoyed their advantages or attained their plane of thought and action. It is more than likely that our government would never have been given that strength, that regulative conservatism, that

opportunity for the exercise of central power, if just such men with just such natural suspicions had not had the making of it and the earliest execution of it. But then after all there was the people, and the government was to be of, for, and by them. That element of our republican existence was bound to be recognized; the very education, politically, which that existence would afford, would lift up the people to a position in which they could be trusted with their own welfare, which was equivalent to the progress and prosperity of the government. It is to the honor of Jefferson that he penetrated to this view of the case, and shaped his actions and expressions in accordance with it. We may blame him for his course towards Washington in not discouraging Freneau's abuse of that exalted man; we may deplore his dense ignorance of finance and his consequent misapprehension and distrust of Hamilton. We may grieve over the folly of his thoughtless admiration of the French Revolution when it had become a "red republicanism." But in that he understood the destiny of the people, he merited to become the idol of the people. His Presidency was the triumph of his own theory, and the best Federalist of us all, at this distance of time, can not but concede that it was about time for Republicanism to come in and have its share in modifying our institutions. There was then no danger that the Federalistic principle of the constitution would be choked or eliminated. And there may have been some danger that without a counterbalancing Republicanism such as that for which Jefferson stood, it might have been carried to an evolution of intenser centralization, leaning backward towards monarchy.

* * *

The Birthday of Jefferson.

The celebration of the birthday of Jefferson brought into fresh notice the confusion that has long prevailed in the public mind with reference to the birthday of Thomas Jefferson. It is still celebrated by some on the 2d and by others on the 13th of April. This appears singular when contrasted with the uniformity with which the 22d of February is observed as the anniversary of the birth of Washington.

Nearly all our books of reference say that Jefferson was born on the 2d of April, 1743; and so he was, according to the chronology then in use in England and her colonies. The reason why the birthday of Jefferson was once involved in some doubt is that that stalwart republican was opposed to celebrating the birthday of living statesmen. He did not believe in hero worship in a republic, fearing it might lead to the establishment of a monarchy. Hence, he refused to disclose the date of his birth, not desiring that his admirers

should follow an example which he believed to antagonize the best interests of the republic. In 1803, when the Democrats of Boston desired to have a celebration of his birthday, he wrote as follows to Levi Lincoln:

"With respect to the day on which they wish to fix their anniversary they may be told that, disapproving myself of transferring the honors and veneration for the great birthday of our Republic to any individual or of dividing them with individuals, I have declined letting my own birthday be known and have engaged my family not to communicate it. This has been the uniform answer to every communication of the kind."

* * *

The New England Town Meeting Once More:

That the New England Town meeting was a far-reaching power in the trying times before the Revolution was amply, illustrated in the June number in connection with the historic town of Dedham. It was there shown that the town meeting was the real nursery of those patriotic forces that finally made for open revolt and established our national independence.

It is pleasant to notice that this thoroughly patriotic topic has been the inspiration of a thoughtful and pleasant little essay on "The Town Meeting" by Edward Everett Hale. Some one, recurring to the influence of the town meeting upon the course of our earlier history, wrote him a letter, inquiring what advice he could give in respect to reviving the institution in these (politically) degenerate days. The doctor reminds his correspondent that the old New England meeting was a quite *sui generis* affair, not easily reproduced where the environment does not exist that made it a power of yore. But yet he makes a few practical suggestions as to what helps obtain to make something like it at the present time. He mentions a few characteristic holidays which might be to start the movement. "Could not the new Arbor Day, (April 30), be made use of in this way?" he asks. "Could we not set out our hundred trees on the highways, and then adjourn to the town hall to hear a set of reports from the town officers, and to discuss the best improvements for the future?" He next intimates that a time be set apart to give a formal welcome to the Assemblymen for the district, and thinks, not without reason, that such a practice would improve the calibre of the members sent to that body. A third hint lights upon the "glorious Fourth" for the town meeting. "How could we better celebrate independence than to take a day which nobody knows exactly what to do with, for a meeting in good spirits . . . which should begin early in the morning and should last till late in the afternoon?" He also makes a suggestion as to topics. "The first year I would not bring up the most annoying subjects . . . everybody wants good

health, everybody wants good drainage, everybody wants the town to be the best town in the county, the county the best county in the state, the state the best state in the nation, the nation the best nation in the world." A last hint as to a day whose customs or associations might help along the reinstatement of the town meeting, Dr. Hale furnishes to his correspondent in the following terms: "I am not at all certain but that, in a union of the churches, say on Thanksgiving day or some other religious festival, a good deal might be done in bringing about a steady working town meeting." In conclusion we present Dr. Hale's vivid and amusing picture, illustrating the healthy effect upon bossism and jobbery, which a real, old-fashioned, thoroughgoing New England town meeting would have: "There is no possible ring where there is a town meeting. There is not a boss in this world who has brass enough to stand the interrogatory of that grand jury when it is in session. When the selectmen have made their report about that business of the crossways, what has been done and what has not been done, then Nahum Smith may rise, whoever he be, and put the fatal question, 'I should like to be informed why the selectmen took the stone from the Red Hill quarry and did not take it from the cross-roads quarry which was nearer?' If there is any cat beneath that meal, that cat will appear."

THE CONFEDERATE VETERAN CAMP OF NEW YORK.

THE Confederate Veteran Camp of New York enjoys the distinction of being the first organization of old ex-Confederate soldiers north of Mason and Dixon's line. It is peculiar, also, in that it originated not merely in a desire to afford better facilities for social intercourse and fellowship between Southerners, but to meet the necessity for some benevolent agency to lend a helping hand to the suffering and decrepit survivors of a lost cause.

The victorious soldier may expect a recompense for every sacrifice, at the hands of those he served; but he who fights in a losing struggle can look for no rewards. There can be no official pension for him, and if he be in need of help he cannot expect his scars to gain him a hearing before any audience except one composed of his own more fortunate and prosperous comrades in arms. It was the consideration of these facts in the minds of Southern soldiers in New York City which led to the organization, a brief outline of whose history I am about to present.

On the 25th day of February, 1890, a meeting of the officers of the "Harlem Southern Auld Lang Syne"—a social organization—was held in the study of Rev. Dr. W. W. Page, in the Rectory of the New York Church, in West One Hundred and Twenty-eighth street. The meeting had adjourned, and the members stood on the sidewalk, preparatory to going to their several homes, when Major J. R. McNulty called their attention to an article he had read in the *New York Sun* of a recent date, telling how a poor but worthy Confederate

veteran, sick and destitute, whom some of them had known in the war, was being cared for by a Grand Army Post. Major McNulty proposed that something be done for him, and a generous sum of money was raised on the spot. S. W. Jones, one of this group of tender-hearted ex-soldiers, suggested that they meet some evening soon and discuss some systematic plan for helping Southern Vet-

W. W. PAGE.

erans who had become destitute and helpless. From this small beginning, and upon the grand and broad platform of charity for old and unfortunate comrades, sprang a sturdy young giant in the shape of the Confederate Veteran Camp of New York. The persons present on this occasion were Rev. Dr. W. W. Page, J. R. McNulty, S. W. Jones, John F. Black and W. S. Keiley.

Upon the following 8th day of March this same body of men, with the addition of Jos. H. Stewart and Edward Owen, met at the room of the Young Men's Christian Association of Harlem. Major McNulty was elected temporary chairman and W. S. Keiley temporary secretary. The propriety of starting an organization of Confederate veterans was exhaustively argued. While it was not at this meeting definitely decided to organize, yet a committee composed of Jos. H. Stewart, Dr. W. W. Page and Edward Owen, was appointed to draft a constitution and prepare a circular letter to be sent to persons likely to be in sympathy with such a movement as that proposed. The meeting adjourned to meet again on the 21st day of March in Dr. Page's study.

At this meeting the handful of men was increased by a few additions. Col. J. J. Garnett was made temporary chairman, and S. Calhoun Smith chosen temporary secretary. The committee previously appointed to prepare a circular letter, made their report, and their letter was adopted, ordered printed and arranged to be distributed. The meeting then adjourned to convene again on April 11, at the rooms of the Young Men's Christian Association of Harlem.

It will be observed that all the meetings, so far, were in the nature of mere discussions of the feasibility of the project, with no decided step toward permanent organization.

The importance and serious nature of the plan was realized, and undue haste and precipitancy carefully guarded against. It was thought that if the scheme of a Confederate veteran organization were doomed to become a failure, it were better never to be undertaken. Accordingly delay was made to give opportunity for a sufficient accession of strength and numbers to guarantee a hopeful beginning; while at the same time means were employed to place the idea before the minds of those who would naturally be interested in such a movement.

At the meeting of April 11th twenty-one persons were present, J. R. McNulty presiding. After a full explanation of the events which had led up to this meeting by the chairman, the idea was enthusiastically received, and the Confederate Veteran Camp of New York duly organized by the election of provisional officers. The Constitution, prepared by the committee of a previous meeting, was submitted and so much of it adopted as covered the election of officers and specified the name and objects of the organization. Article II., following, defined the objects:

"Article II.—The object shall be to perpetuate the memories of our fallen comrades; to minister to the wants of needy and worthy Confederate soldiers and sailors, and their widows and orphans, and to preserve and maintain the sentiment of fraternity that was born amid the pleasures, hardships and dangers of the march, bivouac and battlefield.

"Having long since buried the animosities engendered by the war, it is our desire to extend to our late adversaries in arms on every fitting occasion, courtesies which characterize intercourse between soldiers and dignify a common citizenship.

"Avoiding everything that partakes of partisanship in religion or politics, we shall lend our aid to the maintenance of law and the preservation of order."

The provisional officers elected were as follows: Commander, A. G. Dickinson; First Lieutenant-Commander, Thos. L. Snead; Second Lieutenant-Commander, J. J. Garnett; Third Lieutenant-Commander, Jos H. Stewart; Adjutant, Wm. S. Keiley; Pay Master, Edward Owen; Quarter Master, Stephen W. Jones; Chaplain, Rev. Dr. W. W. Page; Officer of the Day, S. Calhoun Smith.

Under its provisional organization the Camp held meetings at Washington Hall, at the corner of One Hundred and Twenty-fifth Street and Seventh Avenue, and steadily increased in numbers. During this period occurred one of the most striking and memorable affairs in its history. It was decided that the Camp should be present as a body at Richmond, Virginia, on the 28th day of May, 1890, to participate in the ceremonies attending the unveiling of the statue of General Robert E. Lee. Accordingly the Camp left

New York on the evening of May 27th, arriving in Richmond the following morning.

As the men disembarked they formed in line, and with national colors flying, and led by Beck's Philadelphia Band, one hundred and twenty battle-scarred Confederate veterans from New York marched to the residence of Col. Dickinson's daughter, Mrs. R. L. Norris, where the Commander had established his headquarters. Here the command was drawn up in line, in the presence of hundreds of interested spectators, and supported by the "Stewart Light Horse," a superb body of men commanded by the gallant Captain Register. The latter assisted in the ceremonies which followed, attending the presentation of a handsome stand of Camp colors typical of the "Bonnie Blue Flag,"—a graceful offering from the Commander to the Camp. The presentation was made in an inspiring speech by the beautiful young daughter of the Commander, Miss Fannie R. Dickinson, in the following words:

JOHN R. MCNULTY.

To you, Confederate veterans of New York, I have been deputized by my father, Col. A. G. Dickinson, your commander, to present this beautiful flag. It is apparent at once, that this gift represents a sentiment dear to the heart of every Confederate soldier. It is not national in character, for it is neither "red, white and red," nor "red, white and blue." It is merely typical of "The Bonny blue flag that bears a single star." Yes, already the sentiment is explained, and no doubt has touched every old Southern soldier's heart, and as the emblem of your Camp, in your Northern homes, when assembled beneath its folds it will remind you of your unparalleled heroism on a hundred battlefields, in close proximity to the very spot where you now stand, central in which has been erected by loving hearts, the bronze equestrian statue of your great leader, General Robert E. Lee, whose honor and glory you are assembled at this moment to commemorate. Take it and wreathe it in graceful folds with the flag of your country, as I do now, and love the one as a sentiment, that awakened in your souls the grandest deeds of daring ever performed by mortal men, and revere the other because you are American patriots, and it is your flag, this is your country, and in your brave keeping it will always be honored, and will cover you with its protecting folds, and will be the forerunner of liberty wherever your posterity may carry it. Bear both these flags back to your Northern homes; place them together conspicuously in your place of meeting, and in remembrance of

this occasion when your hearts are overflowing with tender memories and your fancies carry you back to the Sunny South and your glorious deeds of heroism in defense of principles to which you can only remain "faithful unto death."

The flag was received by Second Lieutenant-Commander J. J. Garnett from whose eloquent speech we quote as follows:

With mingled emotions I accept this beautiful banner which now serves in place of the flag that was emblematic of the cause to which we, my comrades, consecrated our lives, our hopes and aspirations, our all, for four long and bitter years. . . . It speaks to me at this moment a language more eloquent than I can command, a language that speaks of undying love for those brave men who gave their lives for the principles for which they fought, in the days when you and, I my comrades, followed the stars and the bars on the wearisome march, slept while it waved over our bivouacs, and were cheered when it floated above us on the field of battle. That flag, single in its integrity of purpose, was to us in all circumstances a beacon and an inspiration. . . . Under it we tasted the bitterness of defeat—saw all our cherished hopes swept away after a struggle unparalleled for bravery, heroism and devotion on our part and on the part of our antagonists, to whom I cheerfully accord the meed of praise which is their due. . . . Intertwined with the victorious stars and stripes it will still remain to our people an escutcheon upon which is emblazoned never-dying recollections of deeds which will prove after we have passed away an incentive to the best impulses of humanity the world over.

After these ceremonies, at the word of command, the veterans from New York proceeded to the place of rendezvous on Main Street, and joined in the line of march to the statue of Lee. What memories of the distant past were brought vividly to the minds of those who in years gone by had marched through these same streets on the way to the battlefield!

Amid all the thousands of war-worn veterans assembled on this solemn occasion, none presented a better appearance, nor bore themselves more bravely, than the "boys" of the Confederate Veteran Camp of New York. They received one round of cheers from the beginning to the end of the march. After the march Col. Dickinson entertained the entire command at a bountiful dinner given at his daughter's house.

This happy occasion gave an impetus to the growth of the organization, and presently the increase of its members compelled the abandonment of the Harlem headquarters for some more central point. Pending the selection of a permanent headquarters, the St. James Hotel was chosen as a meeting-place.

On the fourth Tuesday of October, 1890, an election was held for permanent officers to serve during the ensuing year. The following ticket was elected:

Officers, 1890–1891. Commander, Andrew G. Dickinson; First Lieutenant-Commander, James H. Parker; Second Lieutenant-Commander, John J. Garnett; Third Lieutenant-Commander, Wm. W. Flannagan; Adjutant, William S. Keiley; Pay-

master, Edward Owen; Quartermaster, Stephen W. Jones; Surgeon, Dr. J. H. Shorter; Assistant Surgeon, Dr. R. C. M. Page; Chaplain, Rev. Dr. William W. Page; Counsel, J. Edward Graybill, Wm. J. Hardy; Officer of the day, James E. Orr; Vidette, Matthew Clark; National Color Bearer, A. Poindexter; Camp Color Bearer, R. Wayne Wilson; Executive Committee, John R. McNulty, Chairman, Thomas A. Young, Dr.

STEPHEN W. JONES.

Wm. H. May, J. H. Cohen, John F. Black, F. G. De Fontaine, Arthur A. Esdra, Edward Owen, Secretary.

January 19, 1891, was another red-letter day in the history of the Camp, it being the occasion of the first subscription banquet held on the anniversary of the birthday of Robert E. Lee. It was decided that henceforth this day should be annually commemorated in a similar manner. The affair in question was held at the New York Hotel, Col. Dickinson presiding, while more than one hundred and fifty persons sat at the tables. The dinner was a great success. It was enlivened by speech and song, while every voice joined in the chorus of the soul-stirring "Dixie," and the sweet "Suwanee River."

During the entertainment the Commander, with the principal officers of the Camp, proceeded to the apartments of Mrs. Jefferson Davis, then stopping at the New York Hotel, and returned accompanied by Miss Winnie Davis. She was conducted to the chair of the Commander and introduced by him amid the greatest enthusiasm. The "boys" made the welkin ring again and again by their vigorous and continued cheers of greeting. While Miss Davis acted as presiding officer, Col. Dickinson proceeded to deliver his address of welcome to the gallant veterans of the war—representative men from North and South—who composed the "goodly company."

Miss Davis presently withdrew upon the arm of the Commander, when the following toasts brought forth an eloquent flow of oratory:

1, The President of the United States. 2, The Memory of Lee, Col. Chas. H. Marshall. 3, Let us have Peace, Gen'l Daniel E. Sickles. 4, The Confederate Veteran, Hon. W. C. Oates. 5, Our Country—The United States, Hon. Chas. T. O'Farrel. 6, The Soldier Journalist 61–65,

Col. Jno. A. Cockerill. 7, The Southern Women in War and Peace, Col. Chas O'B. Cowardin. 8, The City of New York—Our adopted home, Hon. Jno. S. Wise. 9, Our old Home—The South, Hon. Benton M'Millan. 10, Our Sister Organization—The Southern Society, Capt. Hugh R. Garden. 11, Our Soldier Dead.

This dinner was particularly noteworthy, as being the first public assemblage of Confederate veterans in New York City. Among the many distinguished guests present were Bishop Potter, General Fitz John Porter, Gen. Daniel E. Sickles, Hon. C. S. Baker, Hosea B. Perkins. General E. P. Alexander, Major Geo. W. McLean, Judge H. W Bookstaver, Surrogate R. S. Ranson and James Swann.

The next event of importance was the benefit given on May 28, 1891, by Mr. Stuart Robson and his company, for the purpose of increasing the Relief Fund of the Camp, and thus enlarging its facilities for rendering assistance to worthy and needy Confederates. On the date mentioned, a matinee performance of "Henrietta" was given at the Union Square Theatre. Mr. Robson contributed the services of his entire company. Mr. J. M. Hill donated the use of the theatre, providing ushers, gas, music, etc. Many newspapers entirely remitted their bills for advertising, while others reduced their rates. The theatre was crowded, and the benefit netted a handsome sum for the Fund.

After the performance, Comrade Samuel B. Paul, accompanied by the Commander and others, appeared upon the stage, and in behalf of the Camp, and as a testimonial of its appreciation, in an eloquent speech, presented to Mr. Robson a beautiful badge of gold, with stars of diamonds. Mr. Robson responded in a speech full of most beautiful and eloquent sentiments, in part, as follows:

"I shall always feel a thrill of pride

JOHN F. BLACK.

hereafter when I recall the share you have let me take in paying the debt of the Confederacy to its Veterans and its Veterans' children. Surely even the most bigoted of your foes will not deny your right to assume the one great obligation left you by the war! You make no appeal to Congress. You put no ravenous hand into the National Treasury. You take nothing from the Nation's surplus

wealth. All you do is to confess your debt to your heroes and pay it, as best you can, with your own money. . .

"But there are others, whose ears the dust has stopped, who will never hear another trumpet sound. Rank upon rank, regiment after regiment, brigade upon brigade — they lie as they fell, eyes front, facing the heavens. Never forget them! Let your gratitude shine on their graves with the sunlight! Let your tears keep the dew company at nightfall. Dutiful and devoted sons of their several commonwealths were they, and now each sleeps again in the bosom of the mother that bore him. . . . Happy sleepers are they — whose hands are folded on their unheaving breasts, whose labors are over, whose tasks are done, whose slumbers will never more be broken — not even by the dawn of the new day of prosperity that smiles upon their beloved Southland! They sleep sweetly and soundly, lullabied no longer by the boom of cannon, the rattle of musketry, the wail of bereavement and despair. The sacred soil in which they lie, throbs with new energies. The jubilant song of the new Era of the South, drowns the dirge of the Lost Cause. . . Go South, as I have been South this winter, and see for yourself whether it could have been a Lost Cause that in its setting woke so great a people to such magnificent achievements! The ringing picks of Southern miners, the roar of Southern engines and machinery, the rejoicings of Southern trade and commerce — they are the symphony of triumph — not the sound of defeat!

"No! No! No! All of us, the man of the North and the man of the South — we owe to the soldiers of both armies — the soldier of the Union and the soldier of the Confederacy — a debt which none of us has yet measured — a debt which none can ever pay in its entirety. Each, unwittingly, died for the other — and all of them died for all of us. Each sleeps in a grave on which falls equally the benediction of a re-united people. Deep-rooted in their dust there shall blossom over them and of them forever and forever, the roses that stand for love and hope — the lilies that stand for peace!"

Two days after this affair, on the 30th of May, in response to a very cordial and pressing invitation from the U. S. Grant Post G. A. R. of Brooklyn, the Camp joined with them in participation in the memorial ceremonies held at the tomb of General Grant. The Camp turned out in strong numbers, and enjoyed a most delightful trip with "our friends the enemy," on their boat from South Ferry. Hon. John S. Wise, of the Camp, was the orator of the day. On the return trip the Camp disembarked at Twenty-third street, and at the request of their hosts, saluted the departing boat from the landing with a good old "Rebel Yell."

The second annual election of the Camp was held on the fourth Tues-

day of October, 1891, the following regular ticket being elected:

Officers, 1891–92.—Commander, Dr. J. H. Parker; First Lieutenant-Commander, W. W. Flannagan; Second Lieutenant-Commander; A. R. Chisolm; Third Lieutenant-Commander, W. B. Williams; Adjutant, Thomas A. Young; Paymaster, Edward Owen; Quartermaster, Stephen W. Jones; Surgeon, Dr. R. C. M. Page; Assistant Surgeon, Dr. J. Harby, Samuel B. Paul, Dr. J. J Rivera, R. E. Freeman. Edward Owen, Secretary.

WM. S. KEILEY.

vie Dew; Chaplain, Rev. Dr. William W. Page; Counsel, J. Edward Graybill, William J. Hardy; Officer of the Day, W. W. Tayleure; Sergeant-Major J. L. De Treville; Vidette, Jno Halbert; National Color Bearer, A. Poindexter; Camp Color Bearer, R. Wayne Wilson; Exective Committee, J. R. McNulty, Chairman. Jno. F. Black, Arthur A. Esdra, J. D.

Under a new clause in the Constitution, Col. Dickinson was made Past Commander, and presented with a handsome badge of gold, studded with diamonds.

The committees appointed by the Executive Committee to serve during the year of 1891–92, were as follows:

Committees, 1891–92.— Membership Committee, Thos, A. Young, Chairman. Stephen W. Jones, William S. Keiley. Auditing Committee, W. W Flannagan, Chairman. H. N. Bullington, J. K. Overton. Relief Committee, S. Calhoun Smith, Chairman. Eugene H. Levy, Dr. William H. May. Employment Committee, Arthur A. Esdra, Chairman. Peter Mallett. J. R. McNulty, Thos. A. Young, W. S. Merritt.

The second annual subscription dinner took place on the 19th of January, 1892, at the Colonnade, First Lieutenant-Commander, W. W. Flannagan, presiding. Eloquent speeches in response to toasts were made by Hon. C. E. Hooker of Mississippi, Hon. John S. Wise, Hon. C. G. F. Wahle, Jr.. Col. John A. Cockerill, General Fitz John Porter, Hon. James W. Ridgway and other distinguished guests.

On the 30th of May last, the Camp, a second time united with the U. S. Grant Post G. A. R. of Brooklyn, in the memorial exercises at the tomb of the Northern chieftain at Riverside

Park. The floral offering contributed on this occasion was distinctly Southern, the Camp having sent to Georgia and Florida for palmetto trees, yucca, Spanish moss, pomegranites and magnolias, with which a beautiful garden was made near the tomb.

In addition to its Annual Lee Anniversary banquet, the Camp occasionally enjoys what it designates as "informal" subscription dinners, where comrades meet comrades, and, shoulder to shoulder attack the choice viands placed before them, while wit, stories and reminiscences flow spontaneously and uninterrupted by any formality. This might be considered as a sort of substitute for the camp-fire of the bivouac.

But the most important and most characteristic feature of the Confederate Camp of New York, has not yet been touched upon. As already explained, the organization grew out of the idea of providing systematic help to deserving ex-soldiers of the Confederacy, its original constitution stipulating that a principal object was "to minister to the wants of needy and worthy Confederate soldiers and sailors, and their widows and orphans."

The Relief Committee, under the management of S. Calhoun Smith, visits all cases brought to its attention of Confederate veterans in sickness or distress, and all proper wants of persons eligible for relief are promptly provided for. The Camp is in the attitude of one searching for the needy and suffering, and yet the strictest care is taken to prevent a mis-application of relief funds. Any case of destitution becoming known to a comrade, or any person applying for help, is referred to the Relief Committee, who investigate the war record of each applicant. If found worthy, and in immediate need of help, a blank requisition for the necessary sum of money is filled up and signed by some member of the Relief Committee. The order must next receive the signature of the Chairman of the Executive Committee, and when this is obtained and the order presented to the paymaster, accompanied by the War Record of the applicant, a check for the specified amount is immediately drawn.

Such cases are explained and passed upon at the next meeting of the Executive Committee, and if approved the further needs of the sufferer are provided for. Where the case is not so urgent, it is referred to the Executive Committee and carefully investigated before any payment is made. By this system of committees and officers held strictly to account, the opportunities for fraudulent applicants are not good, and as a matter of fact, the impositions upon the Camp, among a large number of cases relieved, have been exceedingly rare.

The medical staff of the Camp — a feature especially deserving of praise — is under the direction of the eminent physicians, Dr. R. C. M. Page, as

Surgeon, and Dr. J. Harvie Dew, as Assistant Surgeon. New York City is divided into six districts, Brooklyn into two, Paterson, New Jersey, into one, each district being in charge of a District Surgeon who is a member of the Camp. Cases requiring medical assistance are referred to the Surgeon who in turn notifies the physician in whose district the needy patient resides; while the doctor thus summoned attends the case, without pay, so long as his services are required. A full report of each case is made to the Chief Surgeon, who in turn reports to the Camp at its regular meetings. The various districts, with the surgeons in charge, are as follows:

First District, Dr. J. H. Shorter, 107 E. 12th St. 23d street. South and East of Broadway; Second District, Dr. G. T. Harrison, 221 W. 23d St. 23d Street, South and West of Broadway; Third District, Dr. W. H. May, 50 W. 24th St. 23d St., North to 59th St. and West of 5th Ave.; Fourth District, Dr. Walker A. Hawes, 745 Lexington Ave. 23d St., North to 59th St. and East of 5th Ave.; Fifth District, Dr. Theo. Steele, 571 Park Ave. 59th Street, North and East of 5th Ave.; Sixth District, Dr. W. Warren Talley, 110 W. 104th St. 59th Street, North and West of 5th Ave.: Brooklyn, Dr. J. J. Rivera, 354 4th St., Dr. Jas. H. Patton, 26 Hanover Place. Paterson, N. J., Dr. O. V. Garnett, 154 Straight St. Dentist, Dr. Geo. Howe Winkler, 255 West 44th St.

In the event of death, the poor comrade may be decently buried in the plot belonging to the Camp in Willow Grove Cemetery, on Long Island, the Chaplain of the Camp officiating.

Another interesting feature of the Camp is its Counsel, composed of J. E. Graybill and W. J. Hardy, who stand ready at any time to assist poor veterans by legal advice or their personal services in court, without

JOS. H. STEWART.

thought of payment. On various occasions their assistance in this way has been of inestimable benefit.

Still another feature, is the Employment Committee, whose object is to obtain work for any veteran desiring it, and unable to procure a position by his own exertions.

Thus it will be seen that needy comrades receive freely and without

cost the most eminent medical attention to be had in the country, with legal advice and prompt financial and other assistance according to their requirements. It is proper to say at this point that the money belonging to the Relief Fund is kept separate from the general fund of the Camp, and is employed solely and entirely in assisting the needy. We might quote from the Relief Record Book numerous striking cases where aid

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in one or more of these directions has been administered — sometimes just in time to avert serious calamity. We shall, however, confine ourselves to the single case of "W. H. Richardson," as he was known to us, which is, perhaps, especially interesting on account of the unsolved mystery which attaches to it. The record in the Relief Book is as follows:

"W. H. Richardson, on March 24, 1891, first applied for assistance, and received it — was suffering from consumption. He was aided, and looked after during his sickness by Dr. May, and through Dr. R. C. M. Page was admitted to the Polyclinic Hospital, and attended by Doctors Page and May, until April 22, 1892, when he died. He was buried in the lot belonging to the Camp in Willow Grove Cemetery, Long Island.

"He would never give any account of himself nor his family, nor could anything be found in his few papers to reveal the mystery. He claimed to belong to the First Virginia Cavalry. It is supposed the above name is fictitious."

The poor man was found in the last stages of his disease in a wretched room and was rescued just in time to prevent his landlady from turning him into the streets. A letter from his mother was found among his effects, but the envelope was gone, while the letter contained neither address nor even the signature of a sirname. His determined silence left no clue to his identity except his assertion concerning his regiment in the war. When the agony of death was settling upon him, and the power of speech had already failed, with great difficulty he wrote upon the margin of a daily paper: "I am about to die. I hope the Camp will see that I am decently buried. I come of a race of Virginia gentlemen who knew no

fear:" Very shortly after this last effort of will he passed into the "great unknown." Several eminent Virginians were communicated with concerning this case, and a prominent notice inserted in the "Richmond Dispatch," but no solution of the mystery has ever been received.

The Camp has steadily increased in numbers since its organization, until it now counts more than two hundred members, including bank presidents, judges, members of Congress, and many who are eminently high and prominent in finance, law, medicine, journalism, business and social life.

A new feature was added some months ago in the shape of auxiliary members known as the "Sons of Confederate Veterans," consisting of the immediate male descendants and nephews and brothers of those who honorably served in the army or navy of the Confederate States. The mission of the auxiliary is to perpetuate the memory of the Confederate veterans, who must all soon depart, and continue the purpose of the Camp. It already has a membership of about fifty. The Auxiliary will soon be formally organized, electing officers and holding meetings of its own; and as time goes on it will be left to the "Sons" to carry on and perfect the work begun by their fathers.

A project is now on foot to purchase, and thus provide the Camp with, a permanent headquarters, by the issue of bonds to be subscribed for by members, which will be a sort of sanctuary of comradeship, where non-resident members and veterans throughout the South may come to meet old comrades and rehearse the "stirring scenes of war" in the "piping times of peace." It is also proposed that next year, on June 6th, the Memorial Day of the South, the Camp shall visit Lexington, Virginia, and participate in the ceremonies at the tomb of Generals Robert E. Lee and "Stonewall" Jackson.

Though a comparatively young organization in point of years, the Confederate Veteran Camp of New York has long since won the respect of the community and the good will of the press by its conservative course and careful attention to its charities. Many a poor fellow blesses it, and many widows, wives and children thank God for its existence.

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COLONEL A. G. DICKINSON.

Col. Andrew Glassell Dickinson, whose portrait forms the frontispiece of this number, and who was the first Commander of the Confederate Veteran Camp of New York, and is its present Past Commander, was born at Bowling Green, Caroline County, Virginia, April 15, 1835. The Dickinsons came to America from Dundee, Scotland, in early colonial days, settling first in New England, thence spreading to Pennsylvania, and from this colony to Virginia. The distinguished men of this name in the history of New England, New York and Pennsylvania, as well as the Western and Southern States, were all representatives of the one family. John Dickinson, of Pennsylvania, founder of Dickinson College, was a distinguished and wealthy leader in the Revolutionary era, who prepared for Pennsylvania in 1775 an address of remonstrance to the King, and was largely instrumental in shaping the United States Constitution and in securing its adoption by the States.

Mr. Festus Dickinson, the father of Col. Dickinson, was a worthy representative of this distinguished family. He graduated from Dickinson College, and soon afterwards married Miss Elizabeth Brashear, of Frederick County, Maryland.

On his mother's side Col. Dickinson has an equally honorable ancestry, his grandmother being Miss Magruder, an aunt of two of Virginia's famous sons — Gen. John Bankhead Magruder, formerly of the United States Army, and later of Confederate war-fame, and Commodore George Magruder, of the United States Navy. The history of the Magruder family is interwoven with the history of Virginia. They are direct descendants of the illustrious Rob Roy McGregor, head of the McGregor Clan, which so valorously opposed British oppression in Scotland, until at length by superior numbers being scattered to the four corners of the earth, and proscribed by edict of the Crown, they were compelled to change their name to avoid imprisonment and death.

Col. Dickinson received his early education at a military school in Virginia, and soon after removed to Mississippi, and later to Louisiana, where he embarked in an active and successful mercantile career. Just at the outbreak of the war he was married to Miss Sue Marshall Coleman, daughter of Col. Nicholas D. Coleman of Vicksburg, Miss., and of Lucy Marshall, a niece of the illustrious Chief-Justice Marshall. When war

was about to divide the nation, young Dickinson refused to act precipitately as to secession. He earnestly sought the preservation of the Union, but feeling that his first allegiance was to his native State, awaited the action of Virginia, and when she withdrew from the Union, he knew that all hope of a peaceful solution was at an end. He at once raised a company and offered his services to the Confederacy. He was soon withdrawn from the "line" and placed as Assistant Adjutant General upon the staff of Major General Magruder. So conspicious was his ability, that at the age of twenty-six he was given command of the Northwestern Division of General Magruder's military department — the line of the Rio Grande — and rendered invaluable service as projector and organizer of the great Cotton Bureau of the Trans-Mississippi Department. But for this achievement it would have been impossible for the Confederacy to have endured so long as it did. With the Mississippi River and the Atlantic and Gulf coasts thoroughly blockaded with Federal forts and gun-boats, this Bureau opened an avenue through Mexican ports for the export of cotton and the import of supplies, munitions of war and money. Through this scheme Col. Dickinson also conferred a substantial and lasting benefit upon the State of Texas, in developing her commercial possibilities, so that this Commonwealth unlike her Southern sisters, found herself richer at the close than at the beginning of the war.

The following incident of the capture of Galveston was told by the distinguished soldier and editor, Col. Francis W. Dawson, in his journal, the "Charlestown News." "There is genuine romance," he writes, "in the story of the career of a comrade and friend of mine, who has never yet appeared in the field of politics. One of the most recklessly brave men in the confederate service was Col. Andrew G. Dickinson, of Caroline County, Va., who was Adjutant-General of General John Bankhead Magruder, throughout the Confederate war. Not only was Col. Dickinson a dauntless soldier, as was proven on many a hard fought field, but he had likewise administrative ability of a high order, as was shown by his administration of the Cotton Bureau, by which the whole of the Trans-Mississippi Department was furnished with commissary stores and munitions of war." "In January, 1863, General Magruder with his forces captured Galveston. Just before the hour of battle Col. Dickinson called the attention of General Magruder to the fact that a convent containing a large number of nuns would be exposed to the fire of the enemy, and requested that he might be allowed to take a sufficient number of ambulances and remove the nuns, and that the engagement might not be opened until this duty had been performed. General Magruder in-

stantly gave the necessary permission. It was then about the hour of midnight. Col. Dickinson took the ambulances and one or two couriers and went to the convent, where all was silent. The nuns in it were not even aware of the fact that General Magruder's army was on the island, and were startled by the announcement that battle was about to be joined. The Lady Superior, however, declined to leave the convent, saying they preferred to remain where they were so as to be present in case their services were needed for the wounded, and that, besides, it was not the custom of their order to seek a place of safety in time of danger, whether from disease or the clash of arms. Col. Dickinson agreed to allow them to remain on the condition that an officer should stay with them in charge of the ambulances, so that in the event that the danger became serious the nuns might be removed. After accomplishing this Col. Dickinson galloped off, and upon his arrival at headquarters the engagement began.

"Mark what followed. About daylight the fire from the shipping of the enemy became extremely severe, and some of the raw Confederate troops fell into disorder and left their guns. Col. Dickinson was at the headquarters of the commanding general, worn out by fatigue, when the fact was reported. He was ordered to take a small command of cavalry and drive back, if necessary, the retreating troops to their guns. This was successfully accomplished, but as Col. Dickinson rode down the principal street, which was raked by the enemy's batteries, a shell exploded within a few feet of his head, killing a number of his men and wounding him severely in several places. He was taken to headquarters in what was considered a dying condition, and it was then that the good Father Aunstead insisted that he should be taken to the convent and nursed there. The nuns cared for Col. Dickinson until his health was restored, and the lively sense of gratitude which this induced is the explanation of the extremely cordial relations which existed between Col. Dickinson and Archbishop Perche of Louisiana and his secretary — the same Father Aunstead who assisted Col. Dickinson when he was wounded at Galveston."

As a matter of fact, certain prominent Catholics called the late Pope's attention to Col. Dickinson's conduct on this occasion, in order that some Papal decoration might be conferred upon him; but the death of the Pope at the time, as well as of some of the others interested, caused the matter to go by default. The wound received at Galveston was one of the most desperate inflicted during the war, the missile entering the left eye, which was entirely destroyed, and lodging on the membrane covering the brain, from which delicate position it was skillfully extracted by the dis-

tinguished Dr. Howard Smith, late of New Orleans. He was also carefully attended and nursed by Dr. William R. Smith, then old and retired, but one of the most skillful surgeons of the South, and to these two gentlemen it is probable that he owes his life. After the battle of Galveston, Col. Dickinson was recommended by the commanding general, with the endorsement of all the general officers of the Texas army, for the position of Brigadier General. But the bearer of these dispatches to the seat of goverment was captured, and the war ended before the Colonel could be confirmed in that position, as communications were entirely cut off between Richmond and the armies of the Trans-Mississippi Department.

Col. Dickinson's promotions were as rapid as they could be in the Adjutant General's Department. Previous to his assignment to the Trans-Mississippi Department, General Magruder, commanding the centre of Lee's army, had fought two of the bloody battles of the celebrated seven days' fight in defence of Richmond, which ended with McClelland's defeat at Malvern Hill, and his retirement to Harrison's Landing and escape by sea. Throughout this campaign Col. Dickinson was Magruder's trusty aid, while during the battle of Savage Station he won the rare distinction of a promotion upon the field. He then held the rank of Major, with the position of Adjutant General. The death of General Griffith, on the day preceding the Savage Station fight, placed Col. Wm. Barksdale, as senior colonel, in command of Griffith's Mississippi Brigade. The latter had as yet seen but little active service, having been absent from his command, engaged in civil and political duties. Accordingly, when it was decided that his Brigade should go into the fight, he requested that Col. Dickinson might go to the front with him, to assist and counsel him. Col. Dickinson urgently seconded the request, and General Magruder, always ready to give opportunity to any of his officers to distinguish themselves, consented. Col. Dickinson first put Kershaw's Brigade into action. These gallant men remained firmly at their post, although they were actually decimated by the galling fire of the enemy. Presently Barksdale Brigade was ordered to their relief, the fresh troops passing through their center, and forming in line in front, while Kershaw's brave men fell back with their wounded. As had been arranged, Col. Dickinson, worn and exhausted with the day's fight, remained with Col. Barksdale. The Federal troops were shouting, and pouring in a deadly fire, although the two lines could scarcely distinguish each other on account of the growing dusk. Col. Dickinson saw that darkness threatened soon to end the fighting for the night without any decisive result, and realizing that the Mississippians were in their best possible

condition while fresh, he counseled an immediate charge with bayonets. Col. Barksdale unhesitatingly gave the bold command. The troops advanced on the double-quick which soon developed almost into a run, and with a yell which inspired terror in the opposing ranks. The charge was irresistable, the Federals were routed, and, hotly pursued by the Mississippians until after eight o'clock at night, lost many prisoners. An hour and a half later, General Magruder, about his rude camp-fire, was congratulating Col. Barksdale upon his success, while the latter declared that Col. Dickinson had rendered such assistance that he felt compelled to beg the General to promote him. Magruder turned to his young relative with a smile and said: "I sincerely congratulate you, sir, for your gallantry; and in the presence of these officers, here upon the field, I have the honor to promote you to the rank of Lieutenant-Colonel, and will recommend you to the Secretary of War at once for this position." It is needless to say that the promotion was confirmed.

The limited space of this article does not permit us even to touch upon the hundred other romantic episodes of Col. Dickinson's military career, to all of which an additional tinge of romance is added by the fact that his brave wife accompanied him on the march and in the camp to the end of the struggle, bearing his children beneath the war-tent. Concerning his distinguished achievements in civil life, we quote from the "New York World," of December 14, 1884:

"After the war Col. Dickinson came to New York and undertook a commercial life, in which he met with signal success. Beginning with Cuba he organized all the West India Islands, the whole of South and Central America, and Mexico, in one grand department, which has now become one of the great pillars of the New York Life Insurance Company. The immense success of this scheme has placed Col. Dickinson in the front rank of insurance men. It was a project of his own conception, and he has splendidly executed the plans which were laid out by him about thirteen years ago. . . We have little doubt that this business will prove the opening wedge to the improved commercial relations which we are now seeking to bring about between those countries and our own."

The letters and articles of Col. Dickinson form the pioneer literature on the subject of reciprocity between the United States and Spanish-America, he having presented this scheme in the practical shape afterwards adopted by the Government. A testimony concerning the difficult nature of his work will be more convincing from a Spanish authority, hence we quote from "La Revista Mercantile," of New York, for July, 1886: "Col. Dickinson has obtained besides the object of his propaganda, a result truly remarkable for the

future intimacy of the two Americas — confidence between the two races. . . . He had to battle with prejudices against his business and with prejudices against his country. The institution of life insurance was unknown to a large majority, and those that did know of it had no confidence in it. In an equal measure was the true character of the Americans unknown — they had been painted to those people as selfish and devoid of all sincerity, uneducated and superficial. To destroy this false impression was, indeed, a hard task. It was necessary to begin by impressing the minds of the people, by vivid examples of the qualities they had been led to believe this race did not possess, and this was for Col. Dickinson his most easy victory. His culture, his exquisite tact, and his amiable disposition, won for him the friendship of all. All he said was accepted: all he promised was as if solemnly sworn; and in a space of time almost incredible, he disarmed all prejudices, made clear all doubts, explained all obscure points, and founded on a granite basis the good opinion of his enterprise, not only in the light of a necessity, but also as a moral factor on the social structure . . Of these sentiments we have an eloquent proof in the reward for his labors which Col. Dickinson has lately received at the hands of the Queen Regent of Spain — Donna Maria Christina — who has bestowed on him the Cross of the Royal Order of Knighthood of Isabella la Catolica, as a testimony of the appreciation of the services he has rendered the inhabitants of the Spanish Antilles, by introducing among them the beneficent institution of life insurance."

The significance of this remarkable decoration is explained in a friendly note to Col. Dickinson from Senor J. A. Fesser, of the great family of merchants who have stood for a century at the head of commerce in Havana, Cuba. "Allow me most warmly to congratulate you," he writes, "upon the dignity of Knighthood in the Royal Order of Isabella, the Catholic, which the Queen Regent of Spain has conferred upon you, and which, according to Article III, of the Charter of the Order, carries as inherent to it the dignity of a nobleman of the realm. No one, even among the Spanish Knights of the order, deserves it better, or can wear the ensigns of the order more proudly."

That the Spanish Government was not alone in the appreciation of Col. Dickinson's labors as a humanitarian, is attested by the following remarkable document:

"THE PRESIDENT OF THE UNITED STATES OF VENEZUELA,

"With the approval of the Federal Council, confers the decoration of the third class of 'The Liberator' upon Col. A. G. Dickinson.

"This order, which has been established to perpetuate the memory of the hero who founded the five repub-

lics of South America, is the highest honor which the country confers upon its distinguished servants, and upon those natives or foreigners who are worthy of it on account of their extraordinary merits, or on account of the services which they render humanity, or the civilization of the people.

"Given, signed and countersigned by the Secretary of State, in the latter's office, in Caracas, October 18, 1888.

(Countersigned) Guzman Blanco, President.

"Diego B. Urbaneja, Secretario."

This order, created by the Congress of Peru in 1825, and adopted in Venezuela by a legislative decree of March 11, 1854, can be conferred upon no one except presidents of the States and legislative assemblies, prelates of dioceses and presidents of universities, consuls general, confidential agents, senators and deputies of national legislatures, members of high national Courts and judges of federal tribunals having general jurisdiction throughout the Republic, and generals-in-chief.

As a citizen of New York, Col. Dickinson is a member of the leading chambers of commerce and boards of trade of the city, as well as the prominent clubs. He has been active in philanthropic enterprises, assisting individuals and generously endowing churches and societies in his native State and elsewhere. He retired from active business about four years ago. He had never spared himself while he had responsibilities upon him, either of a military or a commercial character, and he at length found himself so overworked and worn by travel, his arduous labors and multiform responsibilities, that his physician declared he must rest or his life would pay the penalty. He now resides in New York, the respected head of a large family, honored and esteemed by all who know him.

His enlistment in the cause of the Confedercy has been already described. The sentiments leading to that action are thus eloquently expressed by the editor of "La Revista Mercantil" in the article previously referred to: "When the war broke out each one sought his flag. He needs must have been a traitor who, a son of the South, did not seek his, where duty pointed it out; and under the flag of old Virginia young Dickinson enlisted. When the nation is going to pieces, the heart calls country, that marked out by the cradle and the grave; the place where we first saw light, and where we have prayed for the memory of our parents. For that bit of land we fight, and for its glory we die."

When the Confederate Veteran Camp of New York was organized it was natural that one whose life had been so crowded both with military achievements and civil triumphs and honors should be chosen as first Commander, and Col. Dickinson, as already told, was elected and re-

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R. C. M. Page

elected to this position, serving during a period of eighteen months. At the end of this time he declined a renomination, expressing his desire to take his place with the rank and file, and continue the good work of building up the Society. Accordingly, he was made Past Commander, and, as described in the preceding article, a beautiful diamond badge was presented to him as a testimonial of his services, while the following touching lines were addressed to him:

"Dulce Domum,

"Nyack-on-Hudson, Oct. 12, 1891.

"Col. A. G. Dickinson,

"Commander Confederate Veteran Camp of New York.

"DEAR SIR: — At the last meeting of the 'Camp,' your letter peremptorily declining a re-election to the office which, in the opinion of your comrades, you have held with such marked ability, dignity and efficiency was read. In acknowledgement of your communication, and in accordance with your request, a committee was appointed — which we have the honor to compose — to express the deep obligation under which you have placed the Camp in the discharge of the delicate and difficult duties which devolved upon you.

"You were our first Commander — the Society was yet in its infancy when you were unanimously called to its leadership,

"In your conduct of the expedition to Richmond at the unveiling of the statue of General Robert E. Lee, as well as the general influence you have exerted upon its organization and growth, and by your uniform liberality and courtesy, it has been demonstrated that we were most fortunate in having made you our choice.

"Gallant and brave in war, in peace you have won victories over the hearts of your comrades, who will ever hold you in sentiments of highest regard.

"We have the honor on behalf of the Camp, dear Commander, to be,

"Yours faithfully,

W. H. WILLIAMS, Chairman,

W. W. PAGE,

SAMUEL B. PAUL."

With such sentiments following him into his retirement, Col. Dickinson naturally feels great affection for his comrades, as well as the greatest imaginable interest in the Camp.

DR. R. C. M. PAGE.

MAJOR RICHARD CHANNING MOORE PAGE, a prominent member of the Confederate Camp of New York, and since October, 1891, its Surgeon-in-Chief, was born at Keswick, Albemarle County, Virginia, January 2, 1841. His father was Dr. Mann Page, son of Major Carter Page of Revolutionary fame, who served on the personal staff of Lafayette in the

campaign against Cornwallis. The ancestral line runs back to the first century of English settlement in America. Major Carter was the son of Hon. John Page, son of Hon. Mann Page, son of Hon. Matthew Page, son of Hon. John Page, a merchant born in England, in 1627, who removed to Virginia, became a member of the Royal Colonial Council, and died in 1692. Major Page's mother was Miss Walker of Castle Hill, Virginia, daughter of Hon. Francis Walker, whose brother Col. John Walker, was aide-de-camp to Gen. George Washington.

Major Page was educated at the University of Virginia, where he was a student when the war broke out. He graduated in Latin and Mathematics and distinguished himself in Greek. He entered the Confederate Army at the age of twenty, enlisting at Winchester, Frederick County, Virginia, July 14th, 1861, as a private in Pendleton's Rockbridge Battery, attached to Gen. Stonewall Jackson's Brigade, in the army of Gen. Joseph E. Johnston. Young Page marched with his companions to join Beauregard and was present at the first battle of Bull Run. In October following he was transferred from the Rockbridge Battery to Capt. Lewis Coleman's Morris Artillery, and promoted to the rank of Second Gun Sergeant. He accompanied Johnston's Army in the march to the Peninsula and early in the spring of 1862 after the battle of Williamsburg was breveted Captain of Artillery In this capacity he served through the Campaign around Richmond and against McClellan and in the Battle of Antietam, and received special commendation for his brilliant services.

He was also actively engaged in the battles of Fredericksburg, Chancellorsville, and Gettysburg. In the battle of Chancellorsville, Page's Battery occupied the front in the skirmish line, and it was only a few yards in front of its guns that the gallant Stonewall Jackson was shot accidentally by his own infantry on the night of May 2, 1863. On the following morning, to Captain Page was accorded the honor of firing the signal gun for the commencement of the battle. It was his battery also which first occupied Hazel Grove, a point sweeping Hooker's almost impregnable works and forcing that redoubtable fighter to retire. Again at Gettysburg, Page's Battery occupied a front position and was exposed to such a murderous fire that in less than an hour thirty-two of its officers and men were killed. Capt. Page was himself dangerously wounded, but recovered, and in March, 1864, was promoted to the rank of Major of Artillery. He served throughout the wilderness campaign against Grant, and in October, 1864, was detailed on the staff of Gen. John C. Breckinridge as Chief of Artillery for the Department of Southwest Virginia and East Tennesee, serving till the end of the

war. Dr. Page has published the diary kept by him during this last period and it illustrates the pathetic straits to which the Confederates were reduced in their desperate efforts to continue the struggle. For April 7, 1865, we find this entry:

"Moved through Wytheville, going east, colors flying, in following order, Lynch, Burroughs, Douth, and King, four batteries of four guns each, 'the best battery of artillery ever seen in that part of the world', remarked one of Lee's inspectors, as the column moved by. It was among the last flickers of life before the rapidly dying Confederacy entered into eternal rest."

In February, 1864, Captain Page was captured by the Federals during Dahlgren's raid at Frederickshall, Louisa County, Virginia, but he managed to escape and rejoin his command. After the close of the war, in 1866, he returned to the University of Virginia and studied medicine, graduating in one session, in June, 1867. In August following he removed to New York City, and matriculated in the medical department of the University of the City of New York graduating the succeeding March. In April he entered the competitive examination for Bellevue Hospital, secured first prize, and was admitted on the staff of that institution, serving the regular term as House Physician. He was appointed District Physician, a political position, but after a short time resigned and entered the Woman's Hospital as House Surgeon.

In 1871, Dr. Page began to practice on his own account, and has resided in New York ever since. In 1874, he was married to Miss Elizabeth Fitch Winslow, of Westport, Conn., widow of Hon. Richard Henry Winslow, who founded the bank of Winslow, Lanier & Co in New York. In 1886, Dr. Page was appointed Professor of Diseases of the Chest and General Medicine in the New York Polyclinic, a position which he still holds. He is also Vice-President of the New York Academy of Medicine, and a member of the New York Pathological Society, the New York State Medical Association, and other important medical societies. Upon him was conferred the honor of an appointment as Honorary vice-President of the Paris Congress for the study of Tuberculosis.

Dr. Page is the author of a number of important medical works, among them being a "Chart of Physical Science", a "Handbook of Physical Science", and "The Practice of Medicine" which has recently appeared. He is author also of a carefully prepared Genealogy of the Page family in Virginia, including the Nelson, Walker and Randolph families. He has written some notable pamphlets, one of the most important being on "Meta Static Perotitis," a subject which attracted world-wide attention in the case of President Garfield.

Other pamphlets, perhaps not less able, treat "Typhoid Fever," "Lead Poisoning," and "Bright's Disease of the Kidneys." Dr. Page is a member of the New York Historical Society, the Virginia Historical Society, and the New York Southern Society, as well as the Confederate Camp of New York.

DR. JAMES H. PARKER.

Dr. James H. Parker, Commander of the Confederate Veteran Camp of New York, holds a prominent place among the well-known financiers of New York City. He was born in 1843 in Johnston County, North Carolina.

At the age of nineteen, at the outbreak of the Civil War, he enlisted in the Sixty-second Regiment Georgia Cavalry, and later on was transferred to Robert's North Carolina Brigade. He was variously promoted reaching the rank of second lieutenant, and held this rank until 1864 when he resigned his commission to accept a civil office as county clerk to succeed Thomas D. Snead, who had been elected to the State Senate of North Carolina.

After the close of the war Dr. Parker engaged in business in the towns of Beulah and Fremont in North Carolina. He was very successful, but at length determined to study medicine, and graduated in this profession. For two years he practiced medicine, but finding a business life more congenial, in 1870 he returned to commercial pursuits. He established himself in Charleston, South Carolina, and built up an extensive business, which he continued for twelve years, as a cotton operator, commission merchant and dealer in naval supplies.

The natural gravitation of an active business career tended toward the metropolis and in 1882 he removed to New York. In this city he secured a seat in the New York Cotton Exchange, and continuing in the cotton trade, enlarged and extended his business until he became one of the most prominent among operators. His standing is illustrated by the fact that he was elected President of the Exchange, and served two terms in that position.

Dr. Parker also became interested in various financial enterprises, and in June, 1890, he was elected Vice-President of the National Park Bank. His acceptance of this position was immediately followed by so large an accession of Southern clientage as to change the rating of the bank from the third to the first of New York banks in the amount of its deposits. With such a record it is not to be

J H Parker

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wondered at, that in a little more than a year after his election to the Vice-Presidency of the National Park Bank, he was chosen President of the United States National Bank on Wall street.

He began his duties as President of this institution on July 1, 1891, and during the past year the bank has enjoyed one of the most phenomenal growths in the history of financial institutions. We quote an extract from the story of Dr. Parker's achievement in an issue of "The Financier" for last March:

"Through his personal influence an exceedingly large number of Southern Banks keep their accounts with his institution, and, as bankers know, this Southern clientage is very profitable. His methods of banking, though conservative, are progressive, and the 'old fogy' ideas which used to abound in banking circles, and to which some institutions still cling, —greatly to their detriment be it said —have all been eliminated, and business is transacted in the most modern way, with all the advantages accruing to the banker and his customer derived by accepting the inevitable and keeping pace with the march of financial progress.

"Does it pay to depart from the old methods of banking? This question is quickly answered by a look at the increase in the business of the bank whose officers have accepted the modern methods of banking. Dr. Parker became President of the United States National on July 1, 1891; since that time the deposits of that institution have grown at a phenomenal rate. Taking the Clearing House statements for the period of eight months it is readily seen that the net deposits have more than doubled. On July 3, 1891, the report shows deposits to the amount of $3,869,200, and on March 5th [1892] $8,059,500. An actual gain of $4,190,300. This increase of deposits has not been spasmodic, nor is it due to any one large account, but the increase has been gradual, week by week, but always sure; and it is not saying too much to ascribe it entirely to the business acumen and executive ability of the man who holds the reins of the government of the bank with a steady and unfaltering hand, and directs its affairs with a clearness of mind and method unexcelled by any bank officer in this or in any other city."

Outside of his duties as President of this bank, Dr. Parker is interested in various other enterprises, and is prominent socially in New York City. He is a member of a large number of clubs and societies, and is the President of several of them. Besides the position of Commander of the Confederate Veteran Camp of New York, he is President of the New York Club, and President of the New York Southern Society. He is a Democrat in politics but has never been an aspirant for any political office.

W. W. FLANNAGAN.

William W. Flannagan, First Lieutenant Commander of the Confederate Veteran Camp of New York, and presiding officer on the occasion of the second annual banquet of the Camp on the anniversary of General, Lee's birthday, was born November, 1844, in Charlottesville, Virginia, the site of the famous University of Virginia, founded by Thomas Jefferson.

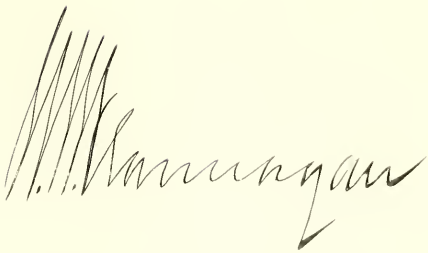
Mr. Flannagan received a collegiate education, and after his graduation from the Virginia Military Institute in 1863, he enlisted in the Confederate army. He was in active service until the close of the war, when he returned to Charlottesville and engaged in the banking business. He became connected with the People's National Bank of Charlottesville, and was made its cashier, which position he held for ten years.

Mr. Flannagan was offered and accepted the cashiership of the Commercial National Bank of New York, upon the organization of that institution in 1885. Subsequently this bank was succeeded by the Southern National Bank of New York, with a capital of $1,000,000, of which about one half was subscribed by prominent men connected with leading southern interests. The Southern National Bank began business on May 15, 1890, with Mr. Flannagan as its president.

Under his able direction this institution has enjoyed a remarkable success, securing not alone a large southern trade, but enjoying, as well, an equally large patronage in New York City and the North. But Mr. Flannagan is best known by his advocacy of two important reformatory measures in banking methods.

He first attracted attention in 1885 by a paper submitted to the American Banker's Convention at Chicago, in which he suggested the use of the tax upon bank circulation as a safety fund for depositors. His paper was generally discussed and commended by the press throughout the country, and a bill embodying Mr. Flannagan's proposition was introduced in Congress. The idea has since been incorporated in several measures relating to National Banks.

In 1886, in an open letter to the Comptroller of the Currency, Mr. Flannagan first suggested the use of silver bullion as a basis for bank circulation—an idea which has since been adopted in a somewhat changed form by a Government circulation based on silver bullion.



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BANKERS OF CHICAGO.

EDWARD S. STICKNEY.

During the twenty years ending with 1880, Edward S. Stickney was one of the men most conspicuously identified with the banking interests of Chicago. In 1859 the unstable currency in circulation in the West, made it necessary to establish a special clearing house in Chicago, and Mr. Stickney was made manager of this clearing house. It was in this capacity that his genius for financiering first became generally noted, by reason of the skill and ability which he exhibited in making daily settlements for the banks of the city, when a fluctuating and altogether unreliable currency made such settlements exceedingly difficult to arrange on a basis satisfactory and equitable to all parties at interest. After a service of several years at the head of the Chicago Clearing House, he entered the banking house of Drexel & Co., in which he assumed important responsibilities, and with which he continued to be connected until 1868, when the Stock Yards National Bank was organized, of which he became cashier. The bank started on a modest scale, and was almost entirely under the management of Mr. Stickney from the start. Under his conduct and direction of its affairs, it built up rapidly and substantially, becoming long since one of the recognized great banking institutions of the city. In 1873 he became president of the bank, retaining the position until his death, which occurred March 20th, 1880.

Recognized for many years as one of the able, conservative and safe financiers, and one of the most sagacious business men among western banks, Mr. Stickney was much more than a banker and successful man of affairs. From the Commercial Club of Chicago, a social and business organization known all over the United States, his death drew out the following expression of sentiment;—

"Whereas, It has pleased an All Wise Providence to take from our midst, and from the varied scenes of his early usefulness, our esteemed associate Edward S. Stickney; and

"Whereas, The high estimation in which he was held, by all his associates, demand a record in the minutes of this Club; therefore

"Resolved, That in the death of Edward S. Stickney, the Commercial Club has lost a wise counsellor, a

genial associate, and a warm-hearted friend.

"Resolved, That in his death the city has lost an estimable citizen, high-toned, honorable and conservative, intelligent, active and generous in his liberal and cheerful support of its religious, benevolent and literary institutions."

The Chicago Historical Society, on April 21, 1880, at the first meeting after the death of Mr. Stickney, adopted the following;—

"Resolved, That in the death of the late Edward S. Stickney, the Chicago Historical Society has lost a valuable member; the cause of fine arts a fostering patron; music, a zealous supporter; literature, a worthy and polished sympathizer; the city of Chicago, a valuable citizen, and society at large an ornament.

"Resolved, That this declaration of our estimate of the deceased be entered upon our records, and that a copy of it be sent by our secretary to the widow of our late friend, with the expression of the cordial sympathy of our association with her in her bereavement."

These testimonials, from quite different sources, give an insight into the character of a man who was a rare combination of the skilled financier, and the scholarly and accomplished gentleman. As a boy his inclinations were toward literature, but his early life was not without its struggles; and this, while it partially robbed the world of letters of a bright and shining light, made of him a successful financier, thus, in an unusual manner, combining the two conflicting elements.

Born in Newburyport, Massachusetts, October 7, 1824, Mr. Stickney was the son of two representatives of very old Massachusetts families. He is descended from William Stickney, who immigrated from Hampton, Lincolnshire, England, to New England in 1837. There are several generations of the Stickneys of Newburyport, and the father and grandfather of Edward Swan Stickney were born there. His father, Enoch Stickney, married Sarah W. Knapp, whose family dated back almost, if not quite, as far in Colonial history, as his own, and who lived in the old homestead at Newburyport until her death at 95 years of age, within the past year.

Enoch Stickney died when his son was still a mere youth. It was this circumstance which cut short his years of study, and turned the tide of his affairs into business, rather than literary channels. He was the eldest son, and upon him devolved to a considerable extent the care and support of his widowed mother, and a younger brother and sister. That he showed a marked aptitude for business in his early youth is evidenced by the fact that before he was twenty-one years of age, he had held positions of trust and responsibility in the offices of the Boston, Concord & Montreal Railroad, and in the old Mechanics Bank of Concord. In 1855 he

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came to Chicago, and entered the establishment of John S. Wright, manufacturer of agricultural implements, where his services were fully appreciated, and where he remained until he became identified with the Clearing House and banking in 1859.

Immediately after coming to Chicago he became active in musical and literary circles, as a founder and promotor of the Philharmonic and other organizations, which have done much to advance the standard and elevate the plane of culture in the city. He also became a member of St. James Episcopal Church, of which he was for twenty-five years a regular attendant, to which he was a generous contributor during his lifetime, and which has been the recipient of munificent gifts from his family since his death.

Eminently successful as a business man, he never allowed the duties of his calling to dwarf his finer sensibilities, or to thwart his generous ambitions. Married in 1869 to Miss Elizabeth Hammond—daughter of the late A. W. Hammond, of Massachusetts, also of puritan descent, and closely related to the Woodburys and other distinguished New England families—his home in Chicago became a center of culture, and the abiding-place of choice works of art and carefully selected literature. Mr. Stickney himself was as widely known in social circles for his broad culture, as among business men for his sterling integrity, and marked capability. He owned, at the time of his death, a large collection of rare books, engravings and etchings, to which he was making constant additions. Of this characteristic a writer has said; "His knowledge of worth in art, especially in engravings, was remarkable, and his good taste and clear judgement were inborn, and beyond question. His exceptionally large and rare collection of old prints, valuable etchings, and French portraits of two hundred years ago, by such artists as Edelinck, Masson and Nanteuil, were kept in folios to be convenient for inspection, and for the further reason that with the tastes of a true poet, he had covered the walls of his home with beautiful paintings, and filled every available space with rare pottery, bronzes, marbles and other precious works. Many of these since his death have been presented to the Chicago Art Institute, one of the many institutions in which he was deeply interested.

Of his dominant characteristics, aside from those with which his business associates became familiar, a well known citizen of Chicago, who had known him from boyhood, has written the following, which, could not be more truthfully and beautifully expressed:—

"Mr. Stickney had a refined and cultivated mind. Early in life he developed an earnest desire for the study of the choicest classics in English literature. He had a great avidity for first and rare editions. In his earlier manhood he denied himself

many well-earned luxuries for the sake of securing costly copies of the great writers of the Elizabethan period and other literary treasures and rarities, and he not only owned these works, but read them with assiduous care and untiring interest and pleasure. His love for the best authors and for the greatest masters of the English language, and his companionship with friends of kindred taste, bore fruit in a life of high intellectual enjoyment. He was always a collector of fine editions of standard authors, and never wearied in the search for choice additions to his remarkable library. His fondness for music, and for the great productions of the masters, was a marked and charming trait of his character; and for the kindred arts of the painter, the etcher and the engraver, he had an intelligent and glowing admiration. He collected the best productions of these arts, and made his home delightful with the atmosphere of books and pictures and music and all the gentle arts. He was devoted to his home and the domestic circle, and his loyalty to his friends was of that chivalric character which made of them ardent and enthusiastic admirers."

THE ARCHDIOCESE OF CHICAGO.

MOST REVEREND P. A. FEEHAN—FIRST ARCHBISHOP.

By a decree of the Holy See of September 10th 1880, the diocese of Chicago, of the Catholic Church, was elevated to the rank of an arch-diocese. Thirty-six years before this the See of Chicago had been established with Right Rev. Wm. Quarter as first Bishop, and his successors in the interval had been Right Rev. James Oliver Van de Velde, Right Rev. Anthony O'Regan, Right Rev. James Duggan and Right Rev. Thos. Foley, in the order named.

Each of these Bishops had been a distinguished member of the Catholic Clergy in America and each had served the Church in Chicago with signal zeal and ability. Under their fostering care the church and its institutions, had more than kept pace with the general growth and developments of the territory embraced within the diocese over which they had jurisdiction, and through their united efforts and those of their assistants in the work of Church extension, splendid results had been achieved, the number of communicants in the diocese, when Bishop Foley died in 1879, being two hundred and fifty thousand.

To carry on the work thus begun,

P. A. Feehan

Abp. Chicago

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in an enlarged field, to sustain a new dignity and to assume added responsibilities, was the duty assigned to Right Rev. P. A. Feehan, Bishop of Nashville, who became first Archbishop when the Archdiocese of Chicago was erected, and who has come to be recognized as one of the leading prelates of the Catholic Church in America.

Patrick Augustine Feehan, was born at Killenaule, Tipperary, Ireland, August 29, 1829. Of his ancestry the following has been written: "On a green slope in Innisfail, at the foot of Slievnamon in Tipperary, there stands within a deserted cemetary a Celtic cross, furrowed by the storms of centuries. It was there when the first savage viking came to Erin, and when the last Dane was driven out of the land, and it was a silent witness of the ravages of the more savage, and 'ruthless Cromwellian.' At the foot of this cross is a tomb, which is as worn and old as the cross itself, on which is engraved in the Gaelic tongue 'Feehan,' the family name of the present Archbishop of Chicago, the last of whose immediate relatives buried there, was a favorite sister."

Patrick Feehan, the father of Archbishop Feehan, was a man of liberal education, of distinguished bearing, high character, and fervent piety, remarkable for his devotion to the Catholic Church and his generous charities. His wife was a mild, gentle and refined woman, and the environments by which the son was surrounded in his childhood were therefore of an ideal character. From his father he inherited a studious character and executive ability of a high order, and from his mother, the gentleness, kindness, humility and simplicity of manner which have always been remarked as among his most charming characteristics. His early education was obtained through private tutelage in his father's home and his natural bent of character was such that his fitness for the priesthood was evident from early boyhood. At sixteen years of age, having received thorough classical and scientific training, he was entered as an ecclesiastical student in Castleknock College, where he remained two years. At the end of that time he entered the College of Maynooth, and in this renowned ecclesiastical Seminary he devoted five years to earnest and conscientious study, becoming distinguished among the young theologians of the college for his learning and ability.

In 1852, upon the invitation of Archbishop Kendrick of St. Louis, who was ever alive to the importance of recruiting the clergy of America from the famous theological schools of the old world, he came to this country, and proceeding at once to St. Louis entered the ecclesiastical seminary at Corondelet to prepare for his ordination.

The following year he was appointed assistant pastor at St. John's

Church in St. Louis, and soon became one of the recognized pulpit orators of that city. An epidemic of cholera which prevailed in the city at that time served to call attention also to his nobility of character and his self-sacrificing devotion to the welfare of humanity. Unmindful of the danger to himself, his days and nights were spent among the sufferers from the dread disease, administering to them the sacraments of the Church, consoling them in their last moments and sometimes preparing the bodies for burial, where friends and kindred had deserted the victims.

In 1854 he was appointed to the Presidency of the Seminary of Corondelet, and retained this position three years, winning renown as an educator, and greatly enlarging his circle of friends and admirers. In 1858 he was appointed pastor of St. Michael's Church in St. Louis, and at the end of a year assumed pastoral charge of the "Church of the Immaculate Conception" of the same city. This pastorate he retained until 1864, and here he acquired great reputation not only as an able and eloquent preacher, but as a tireless and eminently successful worker in the field of church extension. He also became noted for his organization and promotion of important charities within the parish of which he had charge, and for hospital services rendered during the Civil War.

In 1864, eleven years after he entered the Ministry, he had become so prominent a figure among Catholic clergymen, and had rendered such valuable services to the Church, that when the See of Nashville became vacant through the resignation of Bishop Whalen, he was nominated to fill the vacancy. At that time, his mother, who had been an invalid for several years, was the object of his tenderest care and solicitude, and a feeling that he could not do justice to the work of the Bishopric, and at the same time give to his mother the care and attention which she required, impelled him to decline the high office tendered him. In 1865, however, his mother died, and soon afterward he accepted the appointment of the See of Nashville—which had been held in abeyance—and was formally consecrated Nov. 1st of that year.

Upon his installation in the diocese of Nashville he was called upon to at once assume the heavy task of reconstructing the diocese. The war cloud, which had hung as heavily over the territory which came within his jurisdiction as over any portion of the South, had but just lifted, and the terrible effects of the storm of strife were visible on every hand. From many causes the interests of the Church had suffered and everywhere there was demoralization of its affairs. Addressing himself to the work before him with a zeal and energy, which scarcely admits of failure, he soon brought order out of

chaos, and began the building up of the church upon a new and substantial foundation. Not only did he succeed in speedily awakening new interest and inspiring all who were in any way identified with the Church to put forth their best efforts for its advancement, but he so controlled and directed its temporal affairs as to bring about almost immediately a vastly improved condition of its finances.

The Cathedral in Nashville, which he found sadly dilapidated, was improved and its surroundings were made attractive; St. Cecillia Academy, which he found heavily in debt, was relieved of its financial embarrassments and enabled to carry on its educational work unhampered, while many other educational and charitable institutions were established in the diocese. He introduced into his diocese the Sisters of Mercy, the Dominican Sisters, the Sisters of Charity and the Sisters of St. Joseph, all of whom he placed in charge of Academies and parochial schools.

In 1866 the cholera visited Nashville, and three times during his ministrations there, the yellow fever, swept over Bishop Feehan's diocese, leaving death and desolation in its path. During the prevalence of these epidemics, the Bishop and the Catholic clergy of his diocese, acting lagely under his control and direction, were among the most courageous and self-sacrificing of all those who imperiled their own lives to give succor and comfort to the afflicted, and thirty-three of the priests fell victims to the scourge and martyrs to duty.

The order of Catholic Knights of America owes its origin to Bishop Feehan, and it was while in Nashville that his action and encouragement caused it to become one of the recognized institutions of Catholicism. Plans for the organization of a society to be composed of Catholic laymen being laid before him, received his hearty commendation and endorsment and the organization was effected which has since been extended to all parts of the United States. What he did in the way of building up the Church and its institutions in Nashville, was but a small portion of what he accomplished in Tennessee. He visited every point where Catholicism had found a foothold or where it was likely to be favorably received and devoted his energies to encouraging, systematizing and forwarding the work. Everywhere he went, he gave dignity and prestige to Catholicism and the number of Churches, priests and communicants in the diocese were multiplied during the time that he extended his jurisdiction over it.

It was with the prestige of having demonstrated that he was a man of remarkable executive ability, of having proven himself a hero among the plague-stricken sufferers of the south, and of established reputation as a pulpit orator, that Archbishop Feehan

came to Chicago, to be inducted into the high office to which he had been appointed. He was received with every manifestation of love and esteem, and in the presence of an immense congregation was installed, with elaborate and impressive ceremonies, in the Cathedral of the Holy Name, Sunday, Nov. 28th, 1880.

Taking up his new work with his accustomed earnestness and enthusiasm, Archbishop Feehan has greatly advanced the interests of Catholicism in the eighteen counties of Illinois, which compose his archdiocese. Many new educational institutions have been brought into existence, numerous splendid charities have been established, and the Church membership has been largely increased. Since his ministrations in Chicago began, he has confirmed over one hundred thousand persons, has ordained nearly two hundred priests, laid the corner stones of sixty churches, and dedicated seventy-two.

In 1883 he was summoned to Rome with other Archbishops of the United States to formulate the scheme of the Third Plenary Council of Baltimore, and upon his return home he was given one of the most magnificent ovations ever given to an American prelate by devout and enthusiastic churchmen.

THE PROBATE COURTS OF ILLINOIS.

JOSUHA C. KNICKERBOCKER.

Outside of three counties of Illinois, Probate Courts are not known, and this fact impresses one familiar with the courts of other states as peculiar. A little inquiry develops the fact that these courts exist, however, in everything but name, in all the counties of the State, but in three counties the Probate Court exists separate and distinct from other courts, as a creation of comparatively recent date. Prior to 1876 in all counties having township organizations, the County Courts had jurisdiction of probate matters, insolvent matters, inquiries into lunacy, &c. This court was one of the early institutions of the state and served its purpose well until the increase of population and consequent expansion of business in Chicago and Cook County made the creation of a new court, which should relieve it of a portion of its burdens, a necessity.

In 1876 the general assembly of the state passed a law creating this new court, in counties having a certain population, and under this act three courts have since been organized. The oldest, and by far the most im-

Yours Truly
J. C. Knickerbocker

portant, of these courts is the Probate Court of Cook County, which came into existence immediately after the passage of the act above referred to. One can gain some idea of its importance to the people of this county, and the magnitude of the interests with which it has to deal, when attention is called to the fact that during the year 1891 it passed upon applications for letters of administration on estates valued in such applications at $56,000,000

By the creation of the Probate Court of Cook County, the County Court was deprived of jurisdiction in all probate matters, and this business was transferred entirely to the new court. It met difficulties at the start. A question was almost immediately raised as to the constitutionality of the act, under which it was established. Hardly had the machinery of the court been put into working order when *quo warranto* proceedings were begun against the Judge who had been elected in pursuance of the provisions of the law. This case being carried up to the Supreme Court, that august tribunal, (in the light of later events, it would seem without due consideration) rendered a judgment of ouster. At a later date the same questions coming before the court in another form, the court reversed its decision and sustained the constitutionality of the law. Next came a conflict of jurisdiction between the Probate Court and the County Court, from which it had been divorced. This matter was also passed upon by the Supreme Court, a majority of its members holding that the County Court had been deprived of all jurisdiction in probate matters. Next the Supreme Court was asked to decide whether the Probate Court had the power to order the sale of realty of minors. This was decided affirmatively. Other similar questions had to be passed upon by the same authority, and it will be seen that the Judge of the Probate Court had evidently to thread his way through a maze of difficulties and embarrassments in determining its powers and jurisdiction.

Fortunately for the court, the public, and the interests involved, the first Judge of the Court was a man of rare legal acumen, broad knowledge of the underlying principles of law, and superior judicial ability. Upon him devolved the responsibility of organizing and moulding the court into form, of determining the scope of its jurisdiction, and the extent of its powers. True, questions involved had to be passed upon ultimately by higher authority, but that his decisions should be sustained and his official acts approved, was a matter of the greatest consequence. Occupying this relation to the court, its early history is substantially a history of the judicial life of Joshua C. Knickerbocker, who was elected to the Probate Bench in 1877 for a term of four

years, and re-elected from time to time, holding the office up to the date of his death, Jan. 5th, 1890.

A native of New York State, Joshua C. Knickerbocker was born in Galatin, Columbia County, Sept. 26th, 1837. As the name would indicate, he was of the sterling old Holland stock which has been so conspicuously identified with the history of the Empire State from colonial days down to the present time. In the county which had been the home of several generations of his ancestors the first seven years of his life were spent. In 1844 his father — who was a farmer — removed to Alden, McHenry County, Illinois, where he became a land owner and continued to reside until his death in 1874. As a boy, Judge Knickerbocker had the usual experiences of farmer's sons among the pioneers of Illinois. While his physical and industrial training were by no means neglected, he managed to secure a thorough education in the country schools of McHenry County, which he supplemented by careful self-education as he grew to manhood. After teaching school for a time he came to Chicago in 1860, and began reading law. In 1862 he was admitted to the bar, and at once became somewhat conspicuous for his interest in politics and public affairs. In 1864 he was elected a member of the Board of Supervisors of Cook County and served in that capacity for three years. During two years of this time he was also a member of the City Council. In 1868 he was elected to the legislature, where he served with distinction and acquired the reputation of guarding with jealous care all the interests of his immediate constituency. In 1867 he had formed a co-partnership for the practice of law with his brother, John J. Knickerbocker, and to the business of this partnership he gave his attention — after his retirement from the legislature — until elected to the Probate Judgeship in 1877, serving at the same time as a member of the State Board of Education.

He entered upon the discharge of the duties of Probate Judge at the end of something less than seventeen years' residence in Chicago. During this time he had been prominently before the public, and had served the people in various official capacities, in all of which he had received the seal of their approval. He had come to be regarded, not only as an able lawyer, and a man of superior executive ability, but as a man of irreproachable integrity. The office of Probate Judge was one which he regarded as among the most important in the state, and it followed as a natural consequence that his fidelity to this public trust should have been such as to win for him the commendation of all classes of citizens. To begin with, he assumed that the Probate Court was in a large measure responsible for the management of the estates of deceased persons, and he held lawyers, administrators, exe-

cutors, guardians, and all who had anything to do with such estates, to a rigid accountability. In a sketch of his life, published in the Biographical Encyclopedia of Illinois, the following has been written by one peculiarly well qualified to judge of his character and ability: "His sense of justice and knowledge of the law were clear and accurate. It sometimes seemed as if he were gifted with a perception that enabled him to read the hearts of people, and divine their innermost thoughts; and in consequence, those in charge of estates, who intended to do wrong, but who were so guarded in their expression and action that even their lawyers suspected nothing — would learn that Judge Knickerbocker saw through their scheming. A gentleman who was not a practicing lawyer was once asked to manage the affairs of an estate of which the widow of the deceased was named in the will as executrix. Judge Knickerbocker told him that he could do as well as a lawyer in the matter, and he proceeded with the business. After a time, however, he reached a point beyond which he seemed utterly unable to go. He presented the papers which at that time were proper to present, but the court would not receive them. At last the gentleman waited upon Judge Knickerbocker privately, and asked him if he would kindly explain to him what the trouble in the case was. The Judge replied: "There is a legacy of $300 provided by the will of the testator for his brother, an old and needy man. The widow has never had the slightest intention of paying that legacy. When she has paid that $300 and the receipt is brought to me, you will have no more trouble in this court." The money was paid, and the business went through the court without hindrance.

It was in this way that the business of estates, passing through the Probate Court, was supervised by Judge Knickerbocker, in the same honest, conscientious, straightforward and able manner, as he would have looked after his private affairs. He was the protector and preserver of the property of those who were unable to look after and protect their own interests. His watchfulness of these interests extended sometimes to the regulation of charges by members of his own profession, for services rendered. He was accustomed to say that all the property in Chicago passed through the Probate Court once in every thirty years, and that if the lawyers were permitted to charge such fees as they liked, they would in time own the whole of it. In the discharge of his official duties he was entirely fearless, and no respecter of persons. Guardians were not permitted to squander the estates of their wards, nor were they permitted to yield to the extravagant demands of such wards themselves.

That he held this important office for so long a period, practically by unanimous vote of the people of Cook

County, is the best evidence of his eminent fitness for the position. The feeling of the people toward Judge Knickerbocker, was admirably expressed, after his death, in one of the Chicago newspapers, as follows: "From the moment he entered upon the duties of the office in which he continued to his death, the public became aware that the wheel of political chance had brought into its service the most admirable qualities for the administering of public affairs. It found in him a well governed nature, in whose perfect equanimity of temper and fearlessness of word and action, it could place implicit trust. The honor that has followed Judge Knickerbocker to the grave and the tributes paid to his memory by every class of citizens should inform all who aspire to public service that there is a value in simple virtue that begets respect and confidence living, and dead, insures general sorrow and public honors. 'The memory of a good man is blessed.'"

In his official life Judge Knickerbocker was somewhat stern, always judicial in his manner and methods, and knew neither friends nor enemies. Although courteous, he was exacting and unyielding in his requirement of what he deemed to be right, from all persons, and under all circumstances.

In his private life he was genial, affable and companionable, to a remarkable degree. He was prominent as a member of the Calumet, Union League, and other clubs, and generally a favorite in social circles. It may be said of him that his character and gifts were so symmetrical that he may be held up as a remarkably perfect example for young men to follow. Beginning life with no special advantages, other than ability, industry, and honesty of purpose, he achieved distinction in public life, and was successful in the accumulation of fortune because he deserved such success. Dying in the prime of life, his death was one which cast gloom over a great city, and caused thousands of people to feel that in him they had lost a personal friend. No more fitting tribute can be paid to his memory than the following from the funeral oration of one of the most noted of Chicago Divines:

"He did not pick his way along the narrow line that separates honesty from dishonesty, and right from wrong. His calm, clear judgment was never clouded by considerations of expedients; he stood aloof on the high plane of right. We are glad that Chicago has honored this man, and that for thirty years he has held public and responsible positions. To his honor is recorded veracity and unimpeachable honesty. He never had an aspersion cast upon him by any political party nor by the press. He stands in a kind of moral grandeur in these things. Of the millions and millions of dollars he administered, not one dollar was misapplied by this noble jurist."

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John Mason Loomis

INDUSTRIAL DEVELOPMENT OF THE WEST.

COL. JOHN MASON LOOMIS.

THE great lumber industry of the Northwest which has contributed more than anything else, with the possible exception of agriculture, to the wealth and prosperity of the states of Michigan and Wisconsin is largely indebted to Chicago for its rapid and profitable development. Not only has this city been the greatest consumer and chief distributor of the lumber product of these States, but to citizens of Chicago is due a large share of the credit for inaugurating lumber manufacturing enterprises which have grown to vast proportions, of providing the railway and other facilities necessary for transportation, and of so systematizing and conducting the traffic as to realize therefrom the best results. While these citizens of Chicago have almost uniformly profited largely by their enterprise in this field, and have gathered therefrom golden harvests in no small number of instances, it should not be forgotten that they were the pioneers in an experimental field, that they labored under difficulties which would now be looked upon as insurmountable, and that the industries which they established were built through laborious effort.

There are still living in Chicago and still identified with the lumber trade, a few of the men who began the business when the Michigan and Wisconsin forests were practically unbroken, and when it seemed that the supply from those sources would be inexhaustible. One of the most widely known of these pioneer lumbermen—of whose distinguished career in other fields, mention will also be made in this connection—is Col. John Mason Loomis, who began business in Milwaukee in 1848, without any other capital than New England thrift, apparent aptitude for a work in which he had been engaged for the two preceding years, and the confidence and esteem of two gentlemen who had been his employers during that time. At the time he assumed the responsibility of engaging in business on his own account, he was twenty-three years of age, and

like many other New England boys of that era, he had shown an adventurous disposition and had seen a bit of the world.

Born in Windsor, Connecticut, January 5th, 1825, he is the son of Colonel James Loomis, a farmer, merchant, miller, and leading citizen of Windsor, who enjoyed the distinction of having commanded, for several years, the First Regiment of Connecticut State Militia. The family is descended from Joseph Loomis, of Braintree, Essex County, England, who immigrated from London in 1638, being landed at Boston by the ship Susan and Ellen, July 17th of that year. The records at Windsor show that this immigrant ancestor bought a piece of ground at the confluence of the Farmington and Connecticut Rivers, in what is now Hartford County, in 1640, and the estate is still in possession of the family, although provision has been made for its appropriation to other uses.

Colonel James Loomis, married Abigail Sherwood Chaffe, of Greenfield Hill, Fairfield County, Connecticut, who came of a family noted for its high social standing and the large number of its male members who have been prominently identified with the medical profession. Colonel Loomis was an ardent admirer of John Mason, who served in the Netherlands, under Sir Thomas Fairfax, and after his immigration to this country became famous as an officer of the colonial forces during the early Indian Wars in New England, and it was this admiration which led him to name his son John Mason Loomis.

Educated in the common schools and academies of Connecticut, John M. Loomis received a measure of business training in his father's store, but was not attracted to merchandising as a permanent avocation. There was a strain of martial blood in the family, and naval and military affairs had for him a peculiar attraction. At eighteen he was captain of a company of militia, and before this he had secured, through his own efforts an appointment as midshipman in the navy. After waiting some time for an assignment to duty on board an American man of war, he tired of inaction and shipped as a sailor on a vessel engaged in the China tea trade. After making several voyages, he quit the sea and then determined to seek his fortune in the West. Arriving in Chicago in 1846, he made an unsuccessful effort to obtain employment and went from there to Milwaukee. In Milwaukee he met with better luck, although the salary agreed upon for a year's work was not what would now be considered remunerative. Not being so situated that he could afford to be very discriminating as to the kind of employment he engaged in, he accepted a position as clerk and bookkeeper in a lumber yard, at a salary of sixty-two dollars for the first year. Although the business was entirely new to him, he soon mastered all its

details and must have shown a somewhat remarkable aptitude for this branch of trade, because two years later his employers sold him the business, accepting his notes—he had no money—in payment.

With the business in his own hands he operated successfully, notwithstanding the disadvantages under which he labored. He was frugal, intensely active, sagacious and methodical in his transactions, and the soul of honor. Within a year he found himself comfortably established in business, and in 1849 he was married to Miss Mary Hunt, daughter of honorable Milo Hunt, of Chenango County, New York.

In 1852 he transferred his business to Chicago, where he soon afterward formed a partnership with James Ludington, of Milwaukee, under the firm name of Loomis & Ludington. The firm thus organized soon became one of the best known in the Northwest, and there were few, if any, more extensive operators than Messrs. Loomis & Ludington. They not only sold immense quantities of lumber each year, but were pioneers in the matter of supplying the manufacturers with the means of preparing their lumber for the market. In those days the mill owners were, as a rule, poor, and like the cotton growers of the Southern States, they were in the habit of bonding their product in advance, for the means of getting it into the market. Colonel Loomis and his partner were among those most active in supplying this demand for advances, and in this way they contributed largely to the extension of the lumber industry. Their business was satisfactorily and profitably conducted up to 1861, when Colonel Loomis turned his back upon all private interests to give his services to the country during the Civil War.

He returned from this service in 1864 to find his business entirely destroyed and was compelled to begin anew the attempt to build up a fortune. Addressing himself to this task with the courage and determination which characterized all his undertakings, he began the lumber business again in Chicago, as a commission merchant. The business done for a time was not large, but he was soon able to regain a portion of his former trade, and to realize to some extent on former investments. The commission business prospered and he associated with him, after a time, John McLaren, first as a clerk and later as partner, the firm becoming John Mason Loomis & Co. This partnership has continued up to the present time, although Colonel Loomis practically retired from active business in 1885—and since it was formed, the firm has sold more than one billion six hundred million feet of lumber, and with sales aggregating from one to one and a half million dollars annually, they have lost nothing through bad accounts. This record is one which shows a careful and conserva-

tive management with unusually satisfactory results.

In 1869 Colonel Loomis engaged in the manufacture of lumber, becoming associated with other gentlemen in purchasing a large body of timber land on the Pere Marquette River and organizing the Pere Marquette Lumber Co. Mills were put into operation, and at this point between two and three hundred millions of feet of lumber have been manufactured and sent into market. Of this corporation Colonel Loomis has been president since 1879. It was through his enterprise also that the salt industry of this region was brought into existence. Reaching the conclusion through careful investigation that a *flow of salt water* could be obtained by boring for it, he tried the experiment, was successful and thus inaugurated the manufacture of salt. Others followed his example, and to the lumber and salt industries, the little city of Ludington, Michigan, is mainly indebted for its existence.

A most interesting chapter of Colonel Loomis' history is his career as an officer of the Federal Army during the war of the Rebellion. Before the war he had been a lieutenant in the famous "Light Guard" of Chicago, and had proven himself a most capable and efficient officer. When, thererere, Governor Yates began looking about for competent men to take command of the Illinois regiments, which was being sent into the field in 1861, his attention was soon called to Colonel Loomis, and in August he was commissioned colonel of the 26th Illinois Infantry Regiment. Taking his regiment at once into the field, he remained with it through the most trying period of the war, passing through many of the bloodiest and hardest fought battles. Much of the time he was in command of the brigade to which his regiment was attached, and he was recognized, not only as a cool, intrepid and fearless officer, but as one whose judgment could be relied upon in emergencies, and in whom any trust could be reposed by his superiors with an absolute sense of security. While he was recognized as a rigid disciplinarian, he commanded the highest regard and fullest confidence of his regiment, and under his leadership they were always ready to undertake any duty to which they were assigned. In the engagements at New Madrid, Island No. 10, Iuka, Corinth, Farmington, Vicksburg, Jackson, Tunnel Hill, Chattanooga and other battles, the regiment took an important part, and the name of Colonel Loomis is entitled to a conspicuous place among those of distinguished volunteer soldiers of Illinois. Since the war he has been prominently identified with the veteran organizations and succeeded General Phil Sheridan as Commander of the Illinois Commandery of the Loyal Legion.

As a citizen of Chicago he has long been one of those most esteemed for

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his charming social qualities, his kindliness and his benevolence. Having accumulated a large fortune, he has seemed to experience the most genuine pleasure of his later life in the bestowal of charities in an altogether quiet and unostentatious, but methodical and systematic way. As a member of the Board of Directors of the Chicago Relief and Aid Society, he was most actively in the work of caring for the homeless and destitute people of Chicago, immediately after the fire of 1871, and for twenty years he has given freely of his time and means to forward the work of this great charity.

In connection with other members of the Loomis family he incorporated, in 1878, the Loomis Institute, of Windsor, Connecticut, designed to give free education to all persons, for whom accommodation can be provided (giving preference to those belonging to the Loomis family by name or consanguinity) between the ages of twelve and twenty years, who can read and write and who understand the elementaries of arithmetic, grammer and geography. Under provisions of an act of the Connecticut legislature the Loomis family is accumulating a fund which will amount to something like two million dollars, for the support of the Institution, and the old homestead at Windsor, which was acquired by Joseph Loomis in 1640, and which has been handed down through seven generations of the family, will constitute the site upon which it is to be located.

THE WESTERN MICHIGAN COLLEGE.

ALBERT E. YEREX.

MICHIGAN has long been noticeable for the number and high-standing of her educational institutions. The fame of her colleges and her educators has long since passed beyond the boundary of the State and extended to every village where intelligence is cherished and education esteemed as the foundation of social life. One of the most interesting of these institutions is the Western Michigan College, founded by Mr. Albert E. Yerex, in 1880, who is also its President. De Tocqueville once said: "The American affects a sort of heroism in his manner of business, in which he follows not only a calculation of success, but an impulse of his nature." However truly this may be applicable to others, it is certainly illustrated in the career of Mr. Yerex, through whose life runs a thread of romance.

The location of the Western Michi-

gan College could not have been more admirable. The City of Grand Rapids, with its thousand attractive features, its famous commercial enterprises, its handsome homes, its beautiful avenues and shaded drives, its delightful parks, its lakes, resorts, and the Grand River which flows past the city, together with an intelligent and appreciative people, constitutes a model college town.

THE WESTERN MICHIGAN COLLEGE.

The institution itself, as many readers doubtless know, was originally conducted by Mr. Yerex as a private Normal, musical and commercial school. But so thorough were its methods that it soon won converts from other cities and other States, and gradually developing with the needs and demands of its students, eventually took rank among the important schools of the country. At the present time its faculty consists of thirty-five professors of the highest rank in their various departments. The curriculum now affords a high-grade classical college course, conferring the higher degrees, and provides also a Normal, or professional training course, especially adapted to meet the requirements of those who wish to follow teaching as a profession. A preparatory, or advanced high-school course, has also been established, while a special commercial training, unsurpassed by the best business college in the country, is maintained for those who wish to confine themselves to a strict preparation for a business career.

A striking feature of the institution is the Musical Conservatory for which a splendid building has been erected, which rising above a well-kept lawn, and nearly surrounded by elms and maples, makes a pleasing picture from an architectural standpoint; while the interior with its frescoed walls, crystal chandeliers, and balustrades of ebony, delicately carved, presents a pleasing and artistic appearance.

It is apparent to everyone that the cultivation of the refining art of music is rapidly progressing in America, so much so that almost every village has its teachers of music, and every home is a small center of musical culture. Yet the possibilities in this direction are hardly yet even suggested. The great need is for better preparation for those who undertake to instruct in the rudiments of musical expression. Young and progressive teachers require an opportunity to obtain more practical ideas and new and improved methods of teaching, as well as wise direction for their own practice and improvement. To meet this need has been one of the special aims of the Conservatory of the Western Michigan College; and in order to provide instruction at a time when teachers are least employed and have the most leisure, a Summer Music School has been instituted. Instruction received during a few weeks only of the summer season may be of incalculable benefit to the teacher, and prepare him to achieve more ambitious results with his pupils during the following fall and winter.

Great improvements have been recently attained in the methods of imparting knowledge in all branches of study. But in no case has the advance been more revolutionary than in the method of instructing a beginner in music. The long course in the practice of dry, unmusical, muscle-tiring and nerve-torturing exercises and études is no longer tolerated, the best teachers having discovered that better results can be secured in a much shorter space of time by a course of study which is a pleasure to the pupil instead of a "weariness to the flesh." Instead of permitting the pupil to learn any sort of finger movement and touch at first, while other things are being learned, and thus laying a false foundation which must all be done away — unlearned — eventually, the good teacher requires a correct finger movement from the first touch of the piano, insisting that the pupil shall employ a musical touch, and play with expression and a clearly manifest phrasing from the very first lesson. In Mr. Yerex's institution these improved methods of teaching are made a specialty, and are carefully taught to advanced pupils who enter upon the work with the idea of a professional career, both in the regular course and in the summer school.

Charles Woodworth Landon, the

Dean of the conservatory, one of the best known musical educators in this country. He was born in Lakeville, Conn., in 1846. He began his career as teacher in Plainville, Conn., where he worked for seven years. He then went to Penn Yan N. Y., where he remained six years, doing effective and remunerative work.

In 1883 he went to Claverack College, Claverack, N. Y., and organized its musical department into a conservatory of music, which attained a commanding influence and is widely and favorably known. His success in these fields of labor has been due to discoveries he has made in certain leading principles of teaching. Hence, he is especially productive in preparing teachers. Besides the study and practice common in all conservatories, he gives a three years' course of lectures. These discourses are carefully prepared, and embrace the results of more than twenty years' experience. In addition to this long and thorough discussion of the fundamental and practical principles and helps in teaching, he has also a three years' course on musical history, biography, musical expression, etc. In this latter department Mr. Landon's sympathetic and resonant baritone voice gives him an important advantage.

His work in organizing the New York State Music Teachers' Association is so recent and so admirable as to need no description; there he showed an enviable organizing ability and unusual tact and skill in managing men and affairs. A large part of his success as a teacher rests, no doubt, upon his care to form in the pupil correct and practical habits of study and practice, in doing which he gives his best endeavors. In Mr. Landon we have an example of the kind of musician who is becoming more and more common, fortunately for the future of music in America. Educated entirely in this country, under Dr. William Mason, William H. Sherwood and others, he is an energetic, self-made American, a careful teacher, an attractive speaker, and a sound musician. His election to the presidency of the New York State Music Teachers' Association was a proper recognition of his musical scholarship, and of his commanding and influential personality. Mr. Landon is a scholar as well as a teacher, and thoroughly *au courant* with musical affairs of the day.

The director of the Piano Department, the Chevalier A. de Kontski, is the originator of a method which has been in successful use in the Conservatory of Paris, and is characterized by brilliancy in touch and effectiveness in style, phrasing and expression. A further most valuable advantage to the student here is the fund of personal reminiscence of the Chevalier de Kontski regarding the celebrated composers and musicians with whom he has associated either as a pupil, friend and companion, or teacher.

Mrs. Willis Merton Bryant, director of the Vocal Department, is a teacher of successful experience in the most improved ideas of voice culture, following a logical, practical and successful system. Not only do her students get the advantage of the best and most recent ideas in voice culture, but, being a vocalist of rare power, she is qualified to give them herself inspiring illustrations in this branch of musical art.

The conservatory was fortunate in securing the service of James Paddon, the famous violinist, for director of the violin and string department. Besides his artistic powers as a soloist, he is a most superior teacher, a very unusual combination. Mr. Paddon comes from a musical family and has enjoyed instruction from some of the best teachers in this country, after which he went to Paris and in a competitive examination for entrance in the Conservatory of Paris he was one of the fortunate six to pass the ordeal of 115 who were examined. Upon entering the conservatory he enjoyed the rare privilege of three years of instruction by Chas. Dancla, who is considered the greatest instructor upon the violin in the world. Mr. Paddon has a broad education in other matters than music and he is a man of rare qualities of mind and heart, which may account for his rare gifts as a teacher as well as his great success as a soloist.

An unique branch or complement of the conservatory is the Department of Pictorial and Industrial Art where the accomplishments of original designing for embroideries, art needle work, lace patterns, china decorating, and kindred arts, are taught in a full course, embracing the latest European and American advances in these directions.

The School of Oratory and of Delsarte Instruction, under the direction of the well-known elecutionist, Mrs. Belle McLeod Lewis, is another distinctive feature of the Western Michigan College. The spirit of the institution is further illustrated by the fact that the Commercial Course is here raised to equal dignity with every other department of study, while upon each graduate from this course is conferred the degree of Bachelor of Commerce. The peculiar genius of this College is, in fact, thorough practicality in education. The classical course of every regular college curriculum is provided, but at the same time special attention has been given to those accomplishments and branches of knowledge which have proven to be most useful and desirable in active social and business life. This was Mr. Yerex's idea of the education which a perfectly equipped institution should make available, and the Western Michigan College is the successful development of this conception.

WILLIAM R. MCGARRY.

RECENT HISTORICAL PUBLICATIONS.

"THE STORY OF THE DISCOVERY OF THE NEW WORLD BY COLUMBUS," compiled from accepted authorities by Frederick Saunders, Librarian of the Astor Library, New York, Thomas Whittaker, 1892.

We have before us in this delightful little volume, in the first place, something to please the eye. It is attractively bound; it presents a generous page with ample margin; and is enlivened by several interesting illustrations. Besides two fac-similes which remind us of the treasure-trove in the midst of which it was written, there is a portrait of Columbus and a half dozen views or scenes of incidents connected with the "great discovery." The latter we need not suppose were taken on the spot with a snap camera, but, though ideal, they help out the popular mind in bringing the particulars of this important story before it in a "realizing" way. The entire work is composed of less than 150 pages, yet with all its brevity, there is a completeness of treatment which will enable any busy reader in this quadri-centennial year to obtain anew a pretty good impression of what happened four hundred years ago this summer and fall. Six chapters divide the substance matter, and furnish us with a bird's eye view of the ground travelled over. The first treats of the "Ante-Columbian Explorers," and furnishes the genial author with the convenient occasion of bringing forward one of his peculiar pets—a volume containing an account of Prince Madoc's expedition. He lovingly lingers over this and gives us "the full title page and part of the introduction of this quaint old volume," as likewise a fac-simile of one of its pages where Madoc receives mention. "The Early Life of Columbus" and "His Adventurous Voyage" have each a chapter appropriately set apart for them. Then again crops out the characteristic lover of books, whose life and labor are spent in their very midst; for we have a whole chapter on Columbus' "Letter Announcing His Discovery." Some one having been unpardonably negligent in a statement concerning the whereabouts or the exceedingly small number of existing copies. Mr. Saunders, with an emphasis quite justifiable and which we are glad to observe, remarks: "A choice copy has been on exhibition during some score of years among the illuminated manuscripts and incunabula in the show cases of the Astor Library. This copy was the gift of the Hon. William Waldorf Astor." A fifth chapter delineates "The Close of His Career;" and in the last we are provided with an exceedingly interesting and instructive compilation of citations from various important authorities giving "Estimates of His Character," the personal friend of Irving, of course, himself shares that author's high estimate of the discoverer's

character. But none the less does he give full citations of the opinions of those who thought very harshly of Columbus. To sum up, this pleasant book will add another bit of spice or flavor to the "Salad for the Solitary and the Social," which the author served up for us some years ago. Even the solitary will want to refresh their memories about Columbus; and the social will be glad to talk about him this year. And this volume will furnish the stimulus to both. It pretends to add nothing new to the facts already well known. But it is a popular presentation of these facts as garnered from lengthier works.

NOTES FROM THE HISTORICAL SOCIETIES.

The Alabama Historical Society held its annual session in Birmingham on June 20th. The address was delivered by Mr. T. M. Owen of Bessemer. It was a carefully prepared and strong production.

The Connecticut Valley Historical Society, Springfield, Mass., completed its organization for the ensuing year by the election of the following officers: Vice-presidents, Judge Shurtleff, Dr. William Rice and Clark W. Bryan; Corresponding Secretary, A. H. Kirkham. Judge Shurtleff called attention to some things that could be accomplished in collecting genealogies and summarizing important events in history for ready reference.

The North Carolina Historical Association was organized at Morehead on Tuesday with upwards of sixty members. The Committee on organization submitted names for officers, which were adopted. Dr. George W. Graham, of Charlotte, was elected president, and Mr. Edward A. Alderman, of Greensboro, corresponding secretary.

The annual meeting of the Firelands Historical Society, Norwalk, O., held July 13th, was largely attended, many old pioneers being present. Letters of regret at their inability to be there were sent by ex-President Hayes, Gov. McKinley, Judge C. C. Baldwin of Cleveland and other prominent men. The following officers were elected for the ensuing year: President, G. T. Stewart; corresponding secretary, James G. Gibbs.

The annual meeting of the Bucks County Historical Society was held in Pipersville, Pa., on July 19th. The following papers were read. "Prehistoric Men in Northern Bucks County," by Charles Laubach. "The Claim of Connecticut to Wyoming," by Rev. D. K. Turner, D. D. "Bedminster and Pipersville," by W. W. H. Davis.

The Pennsylvania Historical Society arranged an excursion to Valley Forge, June 18th, the 114th anniversary of the evacuation of Philadelphia by the British army. The party numbered nearly 150 and after an inspection of the building and the treasures in the shape of Revolutionary relics which it contains, the party assembled in front of the headquarters mansion, and Provost C. J. Stillé, of the University of Pennsylvania, made an appropriate address, introducing Prof. Howard, who was selected to take the place of Hampton L. Carson, who was expected to be the orator of the occasion, but who was unavoidably absent.

Prof. Stillé alluded to the circumstances surrounding Washington at Valley Forge, the most difficult and dangerous of his whole career, described the evacuation and the conflict at Monmouth which followed soon after, and the exploits of Wayne, Steuben and others.

Mr. William S. Baker, whose Itinerary of Washington and his army from the battle of Germantown to the evacuation of Philadelphia is soon to be published, offered the following sentiment:

"On the 19th day of June, 1878, the centennial anniversary of the departure of the Continental Army from Valley Forge, a member of the Historical Society of Pennsylvania, taken from us all too soon, delivered on these grounds an oration which has become part and parcel of the history of the place, and will go down with the English language. It is meet, therefore, that this day we should remember Henry Armitt Brown, the orator of Valley Forge."

The regular quarterly meeting of the Rhode Island Society was held on July 5. It was voted that negotiations with the American Publication Society in regard to the "Comer" diary should be referred to a committee. The librarian reported that the largest amount of material received in any three months for many years had been presented during the last quarter.

The annual meeting of the Tennessee Historical Society (Nashville), was held on June 13th. A paper was read regarding the preparation of a suitable history of the State to serve as a text book in the schools, and to make a part of its necessary curriculum.